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GASCOIGNE

ROGERS

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HENRY FROWDE

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LOCI E LIBRO VERITATUM

PASSAGES SELECTED FROM

GASCOIGNE'S THEOLOGICAL DICTIONARY

ILLUSTRATING THE CONDITION OF

CHURCH AND STATE

1403 — 1458

WITH AN INTRODUCTION

BY

JAMES E. THOROLD ROGERS, M.P.

Oxford

AT THE CLARENDON PRESS

M DCCC LXXXI

PREFACE.

THE Manuscript from which the following extracts are made belongs to Lincoln College, Oxford. It consists of two folio volumes, of 680 and 692 pages respectively, and is written in double columns on vellum. Some of the initial letters are illuminated with great care. A few pages are left blank. From eight to ten scribes, apparently French, were occupied in transcribing Gascoigne's papers, and an estimate, in the distribution of the vellum, was doubtlessly made as to the work which each scribe had to perform. The work was subsequently revised, though not completely, partly for the purpose of correcting errors, partly for that of noting such passages as appeared to be of immediate interest. But for some reason or the other, the corrections and marginal sigla are more frequent in the earlier than they are in the later pages of the Manuscript. The examination of the text appears to have satisfied the object of those who undertook it long before it was completed.

The transcript of Gascoigne's papers was made in pursuance of the directions contained in his will. He orders that an exact copy of his papers should be made on vellum, at the expense of Sion Abbey, and that they and the copy should be deposited in the monastery. It is plain from this that his real estate having passed to his sister or sisters, and the

legacies in his will being satisfied, he must have devised the residue of his personalty to the new foundation, which was dedicated among other saints to Bridget of Sweden, a personage whom he seems to have devoutly revered, and the acts of whose life were written out at his expense for the use of Sion Abbey. The satisfaction of Gascoigne's directions must have involved very considerable charges, not less, I am persuaded, than £50 in money of the time, and probably more. It was also in all likelihood a very lengthy as well as a costly undertaking. But the scribes fulfilled their orders exactly, sometimes even copying the same passage twice over, after a short interval, and certainly omitting nothing, for many entries occur in which the same subject is treated in nearly identical words. The work, in short, is a precise transcript of the papers and extracts which Gascoigne had been making between 1433, when, as he tells us (p. 129), he commenced his labours, and 1457, when, after Dec. 17, he writes that Pecok's books had been burnt at Carfax, Oxford, by Dr. Chandler, Warden of New College, and Chancellor of the University, this being the last entry which is dated.

The Manuscript is in excellent preservation, the ink having hardly faded in any place, and the vellum being as clean as when it left the scribes' hands. The present binding is apparently of the seventeenth century; but that enemy of books, the binder, having shorn the edges in order to put his foolish paint on them, has in places mutilated certain additions and corrections of the margin. One or two of these, occurring in passages which I have selected, have been conjecturally filled up, but with no difficulty, e.g. p. 11.

The book to which Gascoigne gave the name 'Liber

Veritatum' (pp. 12, 129), is a collection of passages illustrating or explaining a number of words, in a rude alphabetical order, from 'Absolucio' to 'Virginitas.' Occasionally an article is inserted out of its place. Sometimes, as in the largest extract which I have made, the position of the passage is due to the leading word in the heading, i.e. 'Flumina' (p. 53). In the vast majority of cases, the interpretation or comment which the author makes is founded on, or confirmed by, a quotation from some one of the Latin fathers, especially SS. Jerome, Augustine, and Gregory, and the English divine, Grosteste. But the author quotes a very large number of authorities, and must have been possessed, as we know to be the fact from other evidence, of a very considerable library for the times. During his lifetime he gave many books to Oriel, Balliol, Lincoln, and Durham Colleges.

I have read the Manuscript through; but, except to one who might desire to know what were the studies of a fifteenth century divine, there is little to interest any reader in the merely theological part of the work. The authors with whom Gascoigne was familiar have not been lost. The books which he studied are, many of them, still in existence. The volume from which I have quoted the extract which comes last in the present work, and is represented in facsimile on the title-page, once belonged to Grosteste, and is full of that prelate's marginal notes. It subsequently became Gascoigne's property, and was given by him, as an entry on the first page in his own hand informs us, to Durham College. After the Reformation and the suppression of Durham, now the site of Trinity College, it came into the possession of a member of Gloucester Hall, who gave it to the Bodleian Library.

There is no record as to how the 'Liber Veritatum' came into the possession of Lincoln College. At the time of Gascoigne's death, Lincoln must have been a very poor and obscure foundation. Gascoigne had indeed a great respect for Fleming, the Bishop of Lincoln, who designed, it appears, a considerable establishment of persons who should devote themselves to the refutation of Wiklif's heresies, opinions which Fleming had in his youth embraced and defended, but subsequently abandoned. But the Bishop of Lincoln died before the foundation was even settled, and left his scholars very poorly off. I have no doubt that, had his intended benefaction taken effect, Gascoigne could hardly have omitted to notice the creation of a college which was expressly founded in order to attack the teaching of a man, for whom my author over and over again expresses the greatest abhorrence.

I can only offer a conjecture as to the cause which led to the placing of Gascoigne's work in Lincoln College Library. The second founder of Lincoln College was Thomas Rotherham, successively Bishop of Lincoln and Archbishop of York. This Rotherham had been one of the first fellows of King's College, Cambridge, and before the downfall of the House of Lancaster had been constantly employed by the College on their business with the King. He does not appear, how ever, to have allowed his gratitude to Henry to interfere with his promotion, for, like the rest of the bishops, he deserted to the rival House as soon as its fortunes were in the ascendant.

As Bishop of Lincoln, in which diocese Oxford was then situated, Rotherham had a considerable influence or authority in the University. It is true that the charters of the Uni-

versity gave it great independence; and, in particular, an Act of Parliament at the beginning of Edward the Fourth's reign confirms a charter which the Commons, sixty years before, compelled Henry the Fourth to rescind. But it is reasonable to conclude that the bishop might have been quite within his powers in inspecting a work on Theology. It is certain that Gascoigne's Manuscript was inspected, and that the sigla which are put against many political passages in the transcript are intended to invite attention. Mr. Coxe, of the Bodleian Library, informs me that they are of the same age with the Manuscript.

I can well imagine that the bishop argued as follows: 'Gascoigne was a man of undoubted piety, orthodoxy, and zeal, an ornament of the University, and a considerable benefactor to various colleges within it. But he is also exceedingly outspoken. He comments on persons and events, persons still living, events still green, with a plainness of censure and comment which is dangerous. He aspires, as he tells us, to teach posterity what are the shortcomings, the vices, the errors, the crimes of considerable personages in Church and State. Let him teach posterity, and let the present age be spared the exposure of its misdeeds.' In this way, as I conjecture, he thought that the most convenient means for avoiding publicity was to drop the volumes into the Library of Lincoln College.

The Manuscript has been consulted, but only cursorily, by Anthony Wood and Hearne. Neither appear to have used it for much more than to transcribe notices about the University of Oxford, and not for all these. Had Hearne known what was to be found in the volumes, I have little

doubt that the publisher of 'William of Wyrcestre' would have searched in these volumes for a description of society in England during the first half of the fifteenth century, and would have made those extracts which I have collected.

I have appended to the passages taken from the Lincoln Manuscript certain excerpta from other Manuscripts, to one of which, that of St. Augustine's 'De Civitate Dei,' I have referred above. The other volume has a curious and suggestive history. It contained originally three different works, bound together. The first is a Latin Psalter, annotated by Gascoigne in his earliest hand. The second is an account of the execution of Scrope, written by Gascoigne himself, and is, I believe, the origin of the information we have as to the particulars of that event. On the loose leaves of this second treatise are some entries made by Gascoigne, which I have also transcribed. The third was a Hebrew Psalter, which has been taken out of the volume, probably a century ago, when the Library was putting all its Hebrew books together. It is to be regretted that a rage for uniformity has severed a volume from its place in the book where Gascoigne had originally placed it.

This Hebrew Psalter is, I am informed, a Manuscript of the fifteenth century, and was probably written in England. The margin is written all over by Gascoigne, who was plainly endeavouring to make himself master of the language: indeed the MS. informs us that he began his Hebrew studies in 1431. He might have found a teacher on the spot, if the tradition which I have often heard is correct, that when the Jews had no legal settlement in England from the reign of Edward the First to the Protectorate, a little Hebrew colony

continued to exist in Oxford under the protection of those great academical privileges which the University possessed, privileges which were never in peril, except for a short time, when Oxford was too eager in the defence of Wiklif, which were even respected and confirmed by so absolute a sovereign as Henry the Eighth.

Gascoigne's handwriting is not good, if one can infer from his later notes. Hence the scribes had some difficulty, to judge from the errors and misspellings of names which they commit, in reading and transcribing his papers. These misspellings are often, we may expect, the shifting use of a period, in which names were written phonetically at one time and traditionally at another. I do not know whether I am right in guessing that my author's indignation against the unlucky Bishop of Chichester led him at last to almost uniformly write his name Pacok instead of Pecok, and thus to compare him with the noisy bird in fine feathers, whom our forefathers took as the type of unwarrantable conceit. But in any case, the confusion in spelling is probably to be explained by the uncertainty of orthography, and the blunders of a foreign scribe.

Gascoigne's work has a further interest in being nearly the last book written in the familiar Latin of the Middle Ages, and before the revival of classical correctness. Judged by the standard even of the latinity of St. Augustine or St. Jerome, with whose writings the author is so familiar, it is amazingly barbarous. 'Utor' is often used as a passive; 'odio' is a common use of 'odi,' and English phrases are literally rendered in Latin words. The student of English may discover the influence of local as well as general idioms in my author's latinity. And yet, in the learning of his time, Gascoigne was thought

to be very eminent by his contemporaries. I ought, however, to infer that many of the obscurities are solecisms of the text and due to the copyists.

My reader will find the same story told over and over again, but almost always with some additions. I have sometimes thought that Gascoigne did not like to tell all the facts at once, but preferred to say what he wished piecemeal, from caution, or because the circumstances did not occur to him simultaneously. Thus he speaks of the patronage which was heaped on Fulk de Birmingham over and over again, but generally with some fresh characteristic. The variations in the narrative are not contradictory, but correlate. When he dwells on the scandals of Pecok's teaching, especially on the laxity with which this divine interpreted episcopal duty, he almost always adds something new to the story. Most of what he says of this bishop was written when Pecok was in the height of his reputation and influence, for the indignation which arraigned and condemned him was, as we shall see, immediately connected with Pecok's letter to the Lord Mayor of London, Cannyng.

The longest extract which I have printed, the commentary on the seven streams of Babylon, and therein the denunciation of the vices of his age, is probably a sermon. In the course of it Gascoigne even rises to eloquence. It is by far the best specimen of his style, and for its bold denunciation, from an orthodox point of view, of the abuses in the practice of the Church, from the action of the Papal Court to the slovenly conduct of English ecclesiastics, is an exceedingly instructive picture, drawn by a pious and zealous man, of the faults of his time, and the dangers which he saw to be imminent.

In printing these extracts, I have regularly and carefully

compared the copy with the original Manuscript. That some errors of transcription have crept in is possible, though I have taken all pains to avoid this inconvenience. Greater difficulties arise from the errors of the scribes who had been selected to write out Gascoigne's notes, but whose labours were only partially revised. There remain other difficulties in Gascoigne's own style, which is generally involved, and frequently ungrammatical. I have only in rare cases altered a word, and then only because the error was manifest.

It seemed desirable to retain the original spelling throughout, for historical reasons. To this rule I have made only one exception. There are no diphthongs used in the original, and perhaps it would have been better if I had, in my copy, followed the author in this particular. But in commencing the work it struck me that if I did so, I should import needless ambiguities in the transcript, and consequently, I continued the practice with which I have commenced my copy. The same exact system of transcription has been employed with the Arabic and Roman numerals, which are used indifferently, and are sometimes treated as adjectives, sometimes written as in our own day. Arabic numerals, which appear, as far as my researches inform me, to have been introduced in accounts as early as the latter end of the thirteenth century, do not prevail over Roman numerals till the beginning of the seventeenth. The use of Roman figures necessitated a clumsy system of calculation, which is well known to those who are familiar with old accounts, but must have been sufficiently convenient for the audit of receipt and expenditure. But it is singular that so obvious a convenience as decimal notation made such very slow progress.

The special value of these extracts from Gascoigne's Manuscript resides in the fact, that they are singularly illustrative of the darkest period in the social and political history of England. Other contemporary materials are, first, the Rolls of Parliament, which have never been sufficiently examined; next, the dry Chronicle of Wyrcestre; next, the pedantic dissertations of Whetehamstede; and lastly, the Paston Letters. For the rest, the student of history must rely on the narratives of the Tudor annalists. In Gascoigne we have an estimate of English society, made by a contemporary who had considerable opportunities for forming a judgment, and possessed sufficient fearlessness in dealing with men and facts. His words may sometimes seem to be those of a disappointed man, often of an angry man; but of his genuine piety, and sincere desire for the reformation of society, there can be no doubt.

Other manuscripts of Gascoigne, and probably the original of these volumes, were in the Cotton Library (Otho), and perished when the house in Little Dean's Yard, where the library was placed, was consumed.

JAMES E. THOROLD ROGERS.

House of Commons,
Jan. 31, 1881.

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INTRODUCTION.

THOMAS GASCOIGNE, from whose 'Liber Veritatum,' or 'Dictionarium Theologicum,' the extracts contained in the following pages have been collected, was the eldest or only son of Richard and Beatrice Gascoigne (p. 31), and was born at their manor of Hunslet in 1403 (p. 192). Hunslet was a hamlet then near, and now part of, the town of Leeds. It appears that Gascoigne had two sisters, one who became Lady Ros (p. 229), another who was married to a cadet of the house of Nevile, Lord Westmoreland (p. 202), and carried the estate into that family. The manor of Hunslet remained in this branch of the Neviles till the head of the family joined the insurrection of the Northern Earls in 1569, when the estate was forfeited to the crown.

There is a constant tradition that Richard Gascoigne was brother of the famous chief justice who refused to try Archbishop Scrope on a charge of treason; and, according to a less credible story, having been insulted on the bench by Henry of Monmouth, committed the wild Prince of Wales to prison. My author makes no allusion to such a relationship, though it seems as if the passage in the account of Scrope's execution, in which the answer of the chief justice to the king's request that he should try Scrope for treason is given, must have been supplied by the speaker to the writer. The name Gascoigne is frequent among the Yorkshire families of the fifteenth century.

Gascoigne's father must have died when he was young, as he says that he lived on his patrimony from his youth (p. 196). He does not tell us in what year he came to Oxford; but as he graduated doctor of divinity in 1434, and the statutes of the University prescribed that eleven years should intervene between the status of the regent master and admission to the doctor's degree, he must have taken the earlier degree in 1423, and as the master's degree was reached seven years after matriculation, he must have commenced his residence in

Oxford not later than 1416, when he was thirteen years of age. So early an age was in accordance with academical custom in the fifteenth century, and indeed for long after. It is probable that he prosecuted his studies as a commoner of Oriel College. He resided in that College in later life, in a set of rooms which he hired of the Society; for in the register of the College, under the date Feb. 8, 1449, we read that in consideration of a gift of money towards building, and books towards furnishing their library, the Provost and Scholars of Oriel College grant Dr. Gascoigne the use of his rooms rent free for the time of his natural life, but without the power of subletting them. The extent of Gascoigne's private resources excluded him from the benefit of a fellowship. It was at Oriel that Gascoigne became acquainted with Praty, bishop of Chichester, whom he mentions with praise, with Ly Hert, or Lye Hart, Provost of Oriel in 1443–5, and afterwards Bishop of Norwich, whom he condemns, and Pecok, Fellow of Oriel, and successively Bishop of St. Asaph and Chichester, whom he cordially detests.

Gascoigne was ordained priest by Bishop Fleming in 1427 (p. 179) in the prebendal church of Thame. His earliest, and for a long time his only preferment was the rectory of Dighton (p. 175), a parish which I cannot identify, beyond the fact stated by Gascoigne, that it was in the diocese of York. In 1432 he was offered the chancellorship of York Cathedral (pp. 51, 194), on the death of John Kexby, by Kemp, then Archbishop, but declined it on the ground that the income of the office was derived from the impropriation of two benefices, and therefore was enriched at the expense of the parishioners and parochial clergy of those two livings. In 1445, again, he was offered the rectory of S. Peter's, Cornhill, (on the election of four doctors in theology, and the nomination of the Lord Mayor, Aldermen, and citizens of London,) at that time probably one of the most valuable pieces of preferment in the kingdom. He accepted the presentation (p. 232); but within the year, on St. Matthias' day (Feb. 24), he resigned it absolutely, feeling that his health was too infirm for the duties of the office, and being firmly resolved, as he tells us, to undertake the responsibility of no church whose services he was not able to satisfy personally. In 1448 he was made prebend of Combe Decima, in the Cathedral of Wells, by Beckyngton, bishop of that see, and previously

a fellow of New College. This prebend was worth (p. 194) only eight marks yearly.

It appears that from his matriculation to his death, Gascoigne resided almost constantly in Oxford. He was Chancellor for the first time in 1434 (p. 116). In 1436 the University bestowed on him the special title of 'Doctor Catholicus,' and thanked him for his sermons on Easter day, and the Wednesday in Easter week. He was Chancellor again in 1442, in 1443, when he is styled 'Cancellarius natus,' and in 1445. It appears that (p. 201) he was elected even more frequently, but that he declined to hold the office, if, as seems, he is referring to himself in the passage. In 1443 he procured from the king a charter, or letters patent, to the effect that the Chancellor of Oxford should always be *ex officio* a justice of the peace, and in the same year carried a statute by which compurgation should be disallowed in the University court, except at the Chancellor's discretion.

Gascoigne died on some day between March 12, 1458, the date of his will, and March 22, on which the will was proved. The inscription on his Brass in the chapel at New College, where he was buried, stated that he died on the morrow of S. Gregory, i.e. March 13. The inscription was copied by Anthony Wood, but has disappeared. The burial of Gascoigne in the antechapel of New College was probably a high compliment to his reputation. It was rare, perhaps unprecedented, that any one who was not of the Society was honoured by sepulture within its church. The arms of his family, Gascoigne of Hunslet, were engraved on his Brass.

The crooked ways, and the gross breach of faith by which Henry the Fourth deposed the unlucky and unpopular Richard, and set aside the issue of Philippa, disturbed the reign of that king. He succeeded in putting down the formidable insurrection of the Percies, who had been his accomplices, and yet was unable to vanquish Owen Glendower in Wales. He had to conciliate the clergy by the appearance at least of being the patron of orthodoxy; and inserted chapters in the statutes of the year, in answer to their petitions, under which the preachers were silenced, by limiting the right of preaching to those who were licensed by the bishop; and heretics were condemned to the flames, by compelling the secular officer, the sheriff in the counties, and the

mayor or bailiffs of the cities and towns, to put into execution the decrees of the bishop's court. Universal suffrage was granted in the counties, and the language of the Commons was bold and even minatory. No English sovereign, perhaps, whose life ended naturally, had a more troubled and unhappy reign. He was born in the same year as the cousin whom he deposed, and died before he reached the 47th of his age. The attitude taken towards him, in what Gascoigne calls the letters patent of Northumberland, Edmund Mortimer, and Bardolf, is that of charging him with perjuries, calling on him to resign his kingdom to the right line, claiming that the lords of the kingdom should be judged by their peers, that the king's council should be reformed, that the sheriffs should be freely elected, and that the privileges of Parliament should be respected. These articles, copied by Gascoigne in his earlier hand, are interpolated in his latest, and it seems clear that, in the minds of many persons, the succession of the sixth Henry was tainted by the usurpations of the fourth. There is not indeed the least hint in the 'Liber Veritatum' that the claims of Richard of York were conceived to be superior to those of the reigning monarch, or that the misfortunes of Henry's reign should be a pretext for his deposition, still less that the young prince, Edward of Lancaster, as the partisans of the rival house at last affirmed, was supposititious, or even worse.

The defects in Henry's title, the perjuries or the harshness by which he had gained and kept his crown, the mean concessions by which he had disarmed or conciliated opposition, were forgotten in the splendid career of his son. Henry of Monmouth was twelve years old at the time of Richard's deposition, and sixteen when he fought at Shrewsbury against the Percies. Perhaps the stories of his wild youth are exaggerations, suggested by the stern morality of his riper years. Never has an English king been more thoroughly popular than Henry the Fifth. A conspiracy against him in the beginning of his reign was put down without difficulty, and with little scandal. It is stated that Henry was induced to undertake the conquest of France, or at least the recovery of Normandy and Guienne, at the instance of Chichele, the newly-appointed Archbishop of Canterbury, in order to ward off a threatened attack on the temporalities of the regular

clergy. But this is improbable. Henry seems to have entered on the French war, partly with the view of recovering at least that which had been lost by the rupture of the peace of Bretigny, but quite as much with the object of chastising the frightful scandals of the French Court and of French society. The language in which he announces and justifies his purposes is like that of a Puritan commander in the early days of the Civil War, as if he were one who was sent by God to chastise the guilty. Severely orthodox, scrupulously just, a model of private virtue, of dauntless heroism, of consummate military skill, and favoured by unexampled good fortune, he united all the qualities which the English admire, but have hardly ever witnessed together in their most popular kings. Henry urged on the assemblage of the Council of Constance, in order to effect the union of the distracted church. If his conscience would not allow him to spare the heretic, his benevolence induced him to condescend to argue with the sectaries, whose opinions, as he believed, were ruinous to those who held them, invited the wrath of God, and threatened the downfall of society. His army, well drilled and invincible, was, as far as the king could make it, as secure in its own discipline, as confident in the genius of its general, and as pious as Cromwell's Ironsides, but as severe in the hour of battle and of victory. But the English army under the Plantagenet kings rarely suffered a defeat. Unlike the national levies of other countries, it was from an early period an enlisted, picked, drilled, and highly effective service. The church and the king's army were the two roads to fame and wealth, by which a peasant or even a serf could rise to a bishopric or a knighthood. In the end, this army was divided between rival partisans, who fought with intermissions through the thirty years' war of succession, till, worn into two fragments, the relics encountered at Bosworth, and the succession was changed again.

The war with France was continued with hardly a truce from August 11, 1415, when Henry the Fifth sailed from Southampton, till July 17, 1453, when Talbot and his son fell before Chatillon. It did not exhaust the wealth of England, but it demoralised the English people, and gave occasion to the civil war, which, without materially diminishing the national resources, destroyed the English nobility, exterminated the military classes, weakened the spirit of enterprise, disturbed for more

than a century the equipoise of the constitution, and gave the opportunity for a despotism, which in the hands of Henry the Eighth so impoverished England as to make it, till the time of Cromwell, a third-rate power in Europe. The beginnings of the civil strife were witnessed, its causes discovered, and its effects in some measure predicted by Gascoigne. And though in his estimate of these causes, my author dwells almost too exclusively on ecclesiastical abuses, it will not be difficult for us to see that those abuses were at once an effect and a cause, and that the greediness, selfishness, neglect of duty, and political perfidy which characterised the churchmen of the fifteenth century were possible in the clergy by reason that they were even more rife and more scandalous in the laity.

The war which Henry commenced was carried on vigorously by John, Duke of Bedford, who was two years younger than the king. There was only a year's interval between each of the three younger sons, Thomas, Duke of Clarence, having been born in 1388, and Humphrey of Gloucester, the youngest of the four, in 1389. Thomas had been killed at Beaugè in 1421. The administration of home affairs was generally in the hands of the younger brother, whose impetuous temper and rash acts embroiled him with his uncle, the Bishop of Winchester. These differences began as early as 1424, and lasted with little intermission till the Protector's suspicious death in 1446. Gascoigne tells us that it was owing (p. 155) to the intrigues and deceits of Beaufort that Otho Colonna (Martin V) was elected to the Papacy in 1417, instead of a better man, at the Council of Constance, by certain cardinals and certain deputies of the Council. The election of Martin V was the cause of grave scandals in the Roman Court (p. 154), and might have caused serious complications between England and the Papacy (p. 17) had not the Pope's death occurred.

But a curse seemed to hang over the House of Lancaster. The three sons of Henry the Fourth married and were childless, two of them, the Dukes of Bedford and Gloucester, having married twice. In 1446 it seemed that the family would become naturally extinct, unless issue might be expected from the King and Queen who had been married in the summer of 1445. But no child was born of this marriage for more than eight years, when the Queen gave birth on October 23, 1453, to Edward of

Lancaster, during the time of the King's insanity. Between the death of Gloucester and the birth of Edward, the possible rivals for the throne, should it become vacant, were the niece of the Duke of Somerset, whose family, it appears, had been legitimated without reservation, the nearest representative of the house of Lancaster, and the Duke of York, who had assuredly never forgotten his superior claim to the throne, and was looked on by all parties as first prince of the blood.

The episode of Joan of Arc was vexatious, and led to the raising of the siege of Orleans, and the occupation of Rheims. But the English held possession of Paris till April, 1436, and of Normandy and Guienne for a much longer period. But in fact, no army of English, however numerous and however well appointed, could have kept France in subjection. It would have been necessary to garrison every town with English troops, at least in other than the hereditary dominions of the Plantagenet kings, and to have secured the constant services of a strong ally on the mainland. For a time the English had such an ally in the Duke of Burgundy. But when the alliance was broken by the raid on Calais, and the death of Bedford, the hope of occupying France was gone, and the utmost which the exertions of the English could expect was the retention of Normandy and Guienne, the connecting link of which was Anjou and Maine.

The possession of Normandy was, according to the policy of England in the fifteenth century, and indeed for a long time afterwards, of signal importance. It enabled the English navy to keep the mastery of the narrow seas, and the control over those seas was equivalent to the control of all commerce by sea. This is shown with great clearness and detail in that remarkable political tract, published in the Rolls' Series, among other political songs and ballads of the fourteenth and fifteenth centuries, by the late Mr. Wright, under the title of 'A Libel of English Policy.' The whole mercantile marine of Europe was engaged in coasting along France to the Low Countries, with the exception of that,—already almost lost, owing to the decline of the Greek empire,—which passed up the Danube, and that which was carried on the highway of the Rhine. The occupation of two strongly fortified ports at the narrowest part of the Channel, at Dover and Calais, was the key of the position, and the repulse of the Flemings from before Calais, in

August, 1435, was great cause of pride in English prowess, though it foreshadowed Burgundy's desertion. But the occupation of Normandy was hardly of less importance. If Normandy were in the hands of England, she could prevent piracy or privateering in the numerous ports of that duchy, and could keep in check the corsairs of Brittany, who were for many a year after that time the pests of the coasting trade. Long after the discovery of the New World, and that of the Cape passage, had made the ancient routes of commerce less important, the retention of Calais was supposed to be the key to England's maritime power, and a bridle on the Netherlands and on France. A century after Calais was lost, Cromwell consulted that old instinct of England which desired a fortified port on the French and Flemish frontier, by the seizure and fortification of Dunkirk, the sale of which to Louis the Fourteenth was conceived to be a political crime and a political blunder of the gravest kind.

The mastery over the narrow seas was not only a political security, but in the opinion of the age, a mercantile necessity. The principal articles of English exportation at the time were wool and hides. The wool trade was the chief source of English wealth, and almost the only means by which England could acquire possession of foreign products. It may seem strange to us now, but England was almost the only European country from which this absolute necessary of life, second only to food, could be procured. A small quantity, and that, as we are told, of a quality which was unworkable except after mixing with English produce, was obtained by a tedious sea voyage from Spain. England in the fifteenth century had the monopoly of the wool market to a greater extent than even the United States had of cotton before the outbreak of the war between the slave-owners and the Commonwealth of the States. The free export of wool from England meant that the looms of Bruges, Ghent, and Antwerp, and a hundred other thriving Flemish towns, should go on merrily, that employment should be abundant, that profits should accumulate, that wealth should be diffused. Restraints upon this article meant the decay of industry, discontent, and serious outbreaks. The basis of those negotiations with the Low Countries, which began with Philip Van Arteveldt, and were best illustrated, in the days of Henry the Seventh, by the success of the Intercursus Magnus, was English wool, its free or restrained export.

But its uses as a financial instrument were even more remarkable. It is the only produce which I have been able to find, in the long range of my enquiries into the history of finance, which was, in the middle ages, so absolute a necessity and so absolute a monopoly that an export duty could be levied on it, without diminishing the demand for it, in the foreign market. Financiers have always desired to find some product on which they could levy such a tax as the foreign consumer would be constrained to pay. Except in the case of English wool, from the thirteenth to the end of the sixteenth century, the search has been as profitless and as disappointing as that for the philosopher's stone or the quadrature of the circle. But during the fourteenth and fifteenth centuries, English wool satisfied every condition of that financial problem which is seeking to impose an import duty that is to be paid by the consumer. It was a necessity. There was no substitute for it. It could hardly be economised. There was no other source of supply. The hundred years' war was carried on out of the taxation of wool, and the tax was paid by those upon whom war was made. There is a remarkable petition in the rolls of Parliament under the year 1454 (32 Henry VI) in which the various qualities of English wool are specified. They are forty-four in number, and differ in value from the highest, 260 shillings the sack, the price of Hereford produce in the neighbourhood of Leominster, to 50 shillings the sack, at which the worth of Sussex wool is fixed. These, beyond question, are the rates at which the brands of English produce were sold in the Flemish markets. English wool again was the means by which the Roman Court was enabled to extract the enormous revenues which it gained from England in the pre-reformation period. Gascoigne (p. 52) complains of the manner in which England was robbed by the agency of the Lombard exchangers. Their operations were carried on by commercial instruments based on English wool and Flemish cloth.

While the passions, roused by successful war and by the reverses of war, were being called into activity, while the strife abroad was languishing, but was to be succeeded by a fiercer strife at home, there was one figure, the chief person in English life, whom every one revered, whom no one consulted, and whom every one who could do so, pillaged. To the English of the fifteenth century the son of the great warrior,

Henry the Fifth, was a saint. He was not a monk, as some have said, for the English monk of the fifteenth century was, as a rule, a gross and greedy voluptuary, whom no one respected, but no one yet saw how to get decently rid of, except piecemeal, as for example when Waynflete was founding his college at Oxford, and Alcock his at Cambridge. Nor did Henry affect asceticism, or pretend to dispense with natural affections. He loved his mother, he was warm-hearted to all his kinsfolk, he loaded the man who was afterwards his rival with benefits, he heaped favours on the Neviles, who owed everything to his dynasty, and on the Mowbrays, who had been the hereditary foes of his family, as well as on the Beauforts, the Percies, and the Poles, who were his parasites and his ruin. He was gentle and affectionate to the imperious woman whose fortunes were tied to his own, whose mad fury destroyed his dynasty by putting an end for ever at Coventry to all hopes of reconciliation between the factions, whose northern army, by its devastations, set all Eastern England and London against the house of Lancaster. He bore no malice to the savage old pedagogue Warwick, who seems to have scourged all spirit out of him in his youth. Henry was the only English saint of the fifteenth century.

As a king, Henry was the most unlucky of English monarchs. He inherited a war, in which indeed he took no part, except as part of a pageant. The war which made others rich made him a pauper. Sir John Fastolfe and Lord Cromwell collected gigantic fortunes from their spoils and from lucrative trade. The opulence of the houses of Nevile, Beaufort, Holland, Pole, Stafford, and the rest, was prodigious. The riches of the English nobles were a matter of wonder even to those who had been familiar with the wealth of the house of Burgundy, and of the Flemish burghers. But the English King, on whom and on whose revenue the cost of all the administration was imposed, was far poorer than most of the nobles who supported his throne, and had good reason for supporting it, but were quarrelling over the succession; while an infinite mob (we can read them in the exceptions to the acts of resumption) was squabbling over the plunder of the Crown, which was really the plunder of the nation. (Rot. Parl. iv.)

Matters came to a crisis in 1450. The debts of the Crown, mainly for the maintenance of the King's household, amounted to £372,000,

and the arrears owing for the purveyance of provisions was an intolerable grievance. The necessary expenses of the household were £24,000 a-year, irrespective of extraordinary charges. The 'livelihood' of the King had sunk to £5,000 a-year. The House of Commons attempted to grapple with the difficulty. They appropriated, from various sources of the hereditary revenue, as yet I presume untouched, £5,582 18*s*. 7½*d*. for the payment of those who supplied provisions to the household, and put the proceeds into the hands of the Steward, Treasurer, and Comptroller of the Household for the time being. They added to this sum all the revenues of the Duchy of Lancaster, saving the Queen's jointure, the fees, wages, reparations, costs and expenses of the Duchy, a large exception. They fortified their resolution by drawing up the limitation in the ordinary form of a modern act, By the King, with the advice and assent of the Lords Spiritual and Temporal, and of the Commons in Parliament, and declared that it should hold for seven years from May 7, 1450.

After less than four years, the act was repealed, and a more manageable but slightly smaller income was devised. The first grant set aside 122 sources of revenue. The next sought to procure £5,187 6*s*. 8*d*. from 22 sources. Then came the civil war, and the epoch of bad debts on the part of the Crown. There can be no doubt that the old arrears were swept away into the unknown, and that the deficit on the experiment of 1450 followed them. The House of Commons, in the Parliaments of 1450 and 1453, was as incapable of checking and controlling the charges of the Administration as the House of Commons is in 1880. The difference is that men wondered and were rebellious in the former period. But the art of the financier is so subtle in our time, that men wonder and are patiently impoverished.

The taxation of the fifteenth century was, except for the import duties, which were insignificant, and the export duties on wool and hides, which a modern Chancellor of the Exchequer might well envy, all direct. The Crown had a right of preemption of all products and all services, and as a rule, it did not abuse the power. In the many thousands of accounts which I have read, I have seldom discovered any evidence of wrong doing on the part of the King's purveyors, as long as the accounts display the debits and credits of nobles and of wealthy corporations. It is true that the Despencers in Edward the Second's time ventured on

purveyance on their own account. The fact is recorded, not in the process taken against them only, but in the private accounts of individuals who were wronged, and whose complaints are contained in a private audit. But in the time when nobles and gentlefolks found that it was not worth while to cultivate their land, and more convenient to live on rents, when the competition of occupancy did not indeed raise rents, which were singularly customary and immovable in the middle ages, but lowered the rate of income on investments in land from ten to five per cent., and the Crown incurred debts, which turned out to be bad, the burden of these bad debts fell on the small proprietor, whose domestic records have not been preserved, and on the farmer who never had any records to preserve, and thus, despite the saint on the throne, augmented the unpopularity of poor Henry's government. He was praying, striving to reconcile partisans, himself no partisan, and heaping up wrath against his party and his friends, though the strange spectacle of a wholly saintly King continually suspended the war which was imminent. Had Henry been chargeable with any vice, his throne would have passed away in 1449. Had he possessed any administrative vigour—had he even known the temper of his age—had he been able to interpose between himself and his difficulties any man of financial genius (one such man, Tresham, was murdered by Henry's sycophants and betrayers), such, for instance, as James the First found in Cranfield, and William the Third in Montague, his dynasty would have been saved.

Henry's administration indeed, when it was on the eve of its darkest night, had a chance, which a skilful and sagacious partisan of his, or perhaps a servant of his exchequer, was able to make use of. Normandy and Guienne had been lost, and to all appearance, lost irrecoverably. The communications between these two great provinces had been sacrificed by the concession of Maine and Anjou, nominally to the sham King of Sicily and Jerusalem, Margaret's father, really to Charles of France. For the first time in English history, an English King had taken a portionless foreigner to wife. Had the King married an English wife, and Gascoigne finds excellent reasons why he should do so (p. 219), and thereupon abandoned the mischievous passion for foreign possessions, which only bring war and loss, and the weakening of national ties, and national interests, all would have been well. Had his wife,

though of foreign origin, come to him with that which would have set up the King's household, and saved the peasant from the forced sale of his ox, his wheat, his butter and cheese, or whatever else was the produce of his little holding, the portion of the wife would have been a benefit, and foreign entanglements might have been dealt with discreetly. But here was a furious woman, who brought loss instead of gain, dishonour instead of power, whose dower was the cession of the key to the two great provinces which had been, with interruptions, but these usurpations, in the hands of English kings for three centuries, and beyond all this, was setting the good monarch against his nearest kinsfolk and best friends, while she sacrificed all to the men who had put her in her undeserved position. (See pp. 204, 205, 219, 220–1.) She was the evil genius to Henry, as Henrietta Maria was to Charles.

I have referred above to the political importance of Calais and Normandy, of the control which they afforded England over the most important commerce of the age, and of the singular financial aid which the export of English wool afforded to the exchequer of the fifteenth century. But the cession of Anjou and Maine was supposed to have not only effected the loss of Normandy, but that of Guienne (p. 205). To the English, the retention of Guienne was only second in importance to that of Normandy, and in some particulars, was even more vital. It was the country from which England derived one of its most important necessaries, and one of its most familiar luxuries. The reader of modern times will readily understand why the English desired an uninterrupted supply of Bordeaux wine, and the difference between a supply from a foreign country, and that from one which was politically united with England. He will understand the facts none the less clearly, when he hears that the political severance of Guienne from England involved a doubled price of French wine. As long as England held Guienne, wine was procured at prices so low, that it was within the reach of persons who had moderate incomes. When the French King regained it, or rather usurped it, the produce of the country was accessible only to the comparatively wealthy. This, however, might be borne; but there was a further loss in the revenue derivable from this ancient province of England.

My reader will be perhaps surprised to hear that this more serious difficulty was the loss of a cheap market for salt. But such is the fact.

The importance of salt in the economy of medieval life was very great. From November to May, the mass of the English people lived on salted provisions. On every fast day salted fish was the customary diet of those who had anything more than bread to eat. The trade in salted fish was a very important and lucrative employment. It was the principal means of preserving food in winter, and was the first condiment at all times. It was in the period I write about entirely derived from solar evaporation. A wet summer raised the price of salt far more than it did that of wheat, and in ordinary times the price of salt away from the sea closely corresponds, the above exception taken, to the price of wheat. It could be procured abundantly and cheaply from the salterns of Western France. Long after the severance of Guienne from England was an accomplished fact, English monarchs, in their treaties with France, demanded the free export of Gascon salt as a condition of their negotiations. (Corps Diplomatique, Tom. iv. pars 1. 1527).

The wrath of the English, when they coupled the marriage of Margaret of Anjou with the loss of Maine and Anjou, and the subsequent loss of Normandy and Guienne, knew no bounds. 'That Queen Margaret,' says Gascoigne (p. 205), 'with whom the kingdom did not get the worth of ten marks (the value of his own prebend), did much in England after her husband, King of England, fell into a notorious lunacy, and what will come of the Queen's acts in the year of the Lord 1457, God knows.' 'The King of England, Henry the Sixth (p. 221) gave under his Great Seal, Anjou and Maine, to the father of the Queen Margaret, and to the heirs of Queen Margaret's father, him who called himself King of Sicily, and had neither obedience nor revenue from that kingdom, which was subject to the then King of Arragon, and the aforesaid Queen begged this gift from the King of England for her father by the agency of the Duke of Suffolk and his wife, who had promised their aid in the request; and we are told that the Duke of Lorraine swore to the Duke and Duchess (of Suffolk) that he would bring about a final peace between France and England, if the King of England would cede the provinces, as he did by his seal, giving possession of them by the hands of Adam de Moleyns, then Bishop of Chichester. What the end will be (p. 204) God knows, who knows everything. May His will be done, as in heaven so in earth.' There were Englishmen,

whose resignation was neither so complete nor so pious as that of Gascoigne. Suffolk, they concluded, had brought another Helen to new Troy.

Gascoigne tells a curious story about the marriage of Margaret (pp. 190, 205, 219). He says that after Suffolk had negotiated the marriage, he lost sight of Margaret, and remained seventeen weeks in France, without knowing where she was; that subsequently he returned to England and procured a grant from Parliament, and on returning to France, found that Margaret was detained by the French King, who, on the ground that she was Queen of England, and had no 'safe conduct' out of France, declared that she should not be given up without ransom, and that he, fearing the consequences, induced the King to resign Maine and Anjou under the Great Seal, in order to get possession of the King's affianced wife. This cession, says Gascoigne, not only cost England Normandy and Guienne, but put the French into such a position that they could refuse the payment of an annual tribute for the cession of the provinces, and were even able to evade a final peace between the two kingdoms.

There are few portions of the parliamentary history of England which can be more fully written out than that of the years 1453–4. In 1452 the Gascons, who had been annexed to the French Crown after the events of 1450, became discontented. They found the little finger of the King of France thicker than the loins of the King of England, and were irritated at the taxes which their new master heaped on them. He had perhaps imposed, in imitation of the export duties on wool, export duties on wine and salt, and they had found that foreigners did not pay these taxes, but that the impost damaged Gascon trade. At any rate, they sent envoys to the English Court, promising to revolt if they were assisted by a competent force. Their offers were accepted, and the old Earl of Shrewsbury, who had risen to an earldom by his conduct in the war of the French succession, was made Lieutenant of Guienne on September 3. There seemed to be a chance that the events of 1450 would be reversed, and on March 6, 1453, a Parliament was summoned, in which Thomas Thorpe, one of the officials of the Exchequer, and six years afterwards one of its barons, was elected Speaker. The House, in the absence of the Chancellor (Kemp), was addressed by the Bishop of Lincoln, who declared that the cause of the summons was the sound

and solid government of the realm of England internally, and its external defence.

The remarkable financial expedients adopted at the crisis were undoubtedly the work of the Speaker. He had been member for Ludgershall in the Parliament of 1450, and was now returned for Essex. In the fifteenth century, the Speaker was an infinitely more important officer of the House than the more familiar machinery of Parliament has left him now. He was, in fact, the agent between the Commons and the Crown, who presented petitions and announced grants. Thorpe had now a rare opportunity for aiding the Crown by new financial expedients, for the news of a revival of loyalty in Guienne gave hopes to the administration, which had not recovered from the prosecution, the banishment, and the death of Suffolk, from the ill-disguised feuds of the great nobles, and from the unpopularity of Somerset. Thorpe was therefore able to recommend a scheme for raising supplies before a sympathising house, and to venture on bold expedients for the relief of the exchequer and the conduct of the war.

On March 28, 1453, Thorpe, in modern phrase, brought forward his budget. It consisted of four parts—a property-tax, with certain exceptions; an increase in the customs' duty; a licence duty; and a special fund, distributed over the counties and towns rateably, according to their wealth, for the maintenance of an army of 20,000 archers (afterwards reduced to 13,000), during six months, at the pay of sixpence a day during service, the men to be equipped, but all further charges, as it appears, to be defrayed from the exchequer. The last item was so nicely distributed that, the men to each county and town being apportioned, the actual number so provided is 12,999. The distribution of the tax may be found in the rolls of Parliament, and is one of the few documents preserved in the national archives which instruct us as to the distribution of wealth in England during the middle ages. There is no doubt that this budget must have been carefully prepared during the interval in which Talbot accepted the lieutenancy of Guienne and the summons to a Parliament.

In 1450 the House of Commons—in which the reforming party was hostile to Suffolk and the Court, and friendly to the admission of the Duke of York to the councils of the King—had granted an extra-

ordinary tax on rents, annuities, and salaries, including the estates held in ancient demesne, and ordinarily exempted from parliamentary taxation. This income-tax was graduated. Incomes under forty shillings a-year were exempt; on those between forty shillings and twenty pounds, the tax was sixpence in the pound; on those between £20 and £200, it was a shilling; on those above £200 a-year, two shillings. The tax was 'thought reasonable' by the Lords and assented to by the King. But I shall have to refer to the Parliament of 1449–50 lower down, and in connection with other facts.

Thorpe did not follow this precedent in 1453, bold and just as it was, but proposed the familiar fifteenth and tenth, which had now become for a long time a fixed quantity. The grant is to be diminished by £6,000, in consideration of certain towns which had become impoverished, Lincoln and Great Yarmouth being specially designated. The proceeds of these grants were to be applied, in the first instance, to the discharge of loans which had been contracted by government and certified by a record of court. Members of the House were disabled from acting as collectors, evidently lest they should favour their constituents. The increase of customs' duties was—(1) an additional tax of three shillings on the tun of wine; (2) a poundage of five per cent. on goods exported or imported either by natives or denizens; (3) ten per cent. to be paid by strangers exporting tin; (4) the tax on wool was readjusted: English subjects were to pay 43*s.* 4*d.* on every sack of wool or twenty dozen of woolfells, strangers 100*s.*; English subjects 100*s.* on every last of hides, and strangers 106*s.* 8*d.* Of these receipts 20*s.* on every sack of wool, pack of woolfells, and last of hides are appropriated to the defences of Calais, two-thirds to be paid in wages, and one-third on the jetties and fortifications.

The licence duty is levied on foreigners only. All alien householders are to pay a tax of sixteenpence a year, and all aliens not householders, sixpence, during the King's life. Foreigners, being merchants, factors, or brokers, having establishments, are to pay a yearly licence of forty shillings, or if resident in England for not more than six months, twenty shillings, the persons with whom they lodge being liable in default of payment. If they become denizens, they are to pay ten marks yearly (£6 13*s.* 4*d.*), and are thereupon discharged from the above

named dues. The fourth grant is that 20,000 archers, to be provided rateably by the counties and towns, and paid sixpence a day for six months; a schedule being annexed to the act, in which the proportion is set forth to the extent of 13,000, which the King declared to be sufficient. On the announcement of these particulars, the King in person, and Kemp the Chancellor, thanked the Commons for 'their faithfulness, their consideration, and their immense generosity.' The House then adjourned for the Easter holidays, and was ordered to meet again on April 25.

When they met again, Somerset, the Captain of Calais, laid his accounts before them, and prayed a settlement of outstanding obligations, both for himself and his predecessor the Duke of Buckingham. The Commons direct that the arrears and the current charges should be liquidated from the Customs, and the Speaker, Thorpe, on behalf of the Commons, expedites the payment of the grants made on March 28, i.e. Wednesday before Easter, 1453. The King again thanked the Commons warmly, and on July 2, remitting 'the nobles to their recreations and delights, the commons to the harvest,' prorogued Parliament to Nov. 12, when it was to meet at Reading.

I have gone through these expedients at some length, partly because they are an instructive illustration of medieval finance, partly because they specify the resources which the country possessed at the time. There was, the times considered, abundance of wealth in England at the period immediately preceding the outbreak of civil war. The fifteenth century was a period of singularly unbroken agricultural prosperity, of plentiful harvests, of high wages, of accumulated opulence. Land which a century before yielded in rent a return of ten per cent. on the purchase money, now yielded five or less. Farmers were gradually acquiring freehold estates and becoming yeomen, were the progenitors of the small gentry who played so conspicuous a part in English History two centuries later. In the universal passion for acquiring land commons were enclosed, often by usurpation, and men of free estate became the purchasers of copyhold, thus giving stability and a higher position to those estates which the law books still affected to call base or precarious. The tenants of these base fees resisted even the payment of customary rents, and successfully demanding arbitration between themselves and their lords, succeeded in reducing and permanently fixing their liabilities.

A great export trade in barley was carried on between the Eastern counties and the Flemish towns, which in return taught the Eastern farmers the use of hops as a means of flavouring and preserving malt liquors, and established the distinction between ale, which was brewed without hops, and beer which contained them. For it is remarkable that during the whole of the sanguinary struggle between the rival Houses, one reads nothing of devastations committed by either army, except those of Margaret's northern troops in the winter of 1460 and the spring of 1461. The record of prices in England, especially those of wheat and barley, gives no indication whatever that war produced scarcity. During the whole of the fifteenth century, the harvest was a failure in only one year, 1438–9. When the strife was at the hottest, bread and beer were abundant and cheap, for the cost of a labourer's maintenance was from 8*d.* to 9*d.* a week. In the reign of Elizabeth, contracts for the board of the men in her employ were as high as 4*s.* 6*d.* to 5*s.* for the same time.

When the Parliament of 1453 was prorogued, there were hopes that Shrewsbury would re-conquer Guienne, and finally Normandy. But all was lost on July 17, when the veteran and his son fell before the fortress of Chatillon, and the English army was destroyed or captured. Soon after, Bordeaux was invested and surrendered, and every hope of recovering the ancient dominions of the English Kings in France was irrevocably gone. Calais and the forts near it alone remained, and the efforts of the year, both military and financial, had been wasted.

The news of these accumulated calamities, as is most probable, brought about the insanity which affected the King at this time. He had gone to Clarendon in Wilts, when he fell into a helpless melancholia, accompanied by utter debility and insensibility. When his malady commenced is not clearly stated. But if we can infer from Rymer, no state paper was issued between July 27 and Dec. 3, 1453. His son was born on Oct. 23, while he was unconscious of all that passed. He did not know that this event had occurred, as we learn from the Paston letters, till Christmas, 1454, when he recovered his reason as suddenly as he had lost it.

Public opinion had now completely veered round. The Parliament which had met in high spirits, in a generous mood, and with a determination to make sacrifices for its foreign policy, which even acquiesced in the administration of Somerset, and accorded to him a temporary confidence,

was now thoroughly dissatisfied and discontented. The Duke of York brought an action of trespass against Thorpe in the Exchequer Court, in which alone, it appears, he could be prosecuted. Thorpe, it appears, had a sufficient delay accorded to him in which to prepare his defence, stood his trial, pleaded not guilty to a *venire facias* directed to the Sheriff of Middlesex, and was convicted before a jury, which assessed the damages at £1000, and the costs to the Crown at £10. (See Rot. Parl. v. 239, vi. 294). On Nov. 12, Parliament was again adjourned till Feb. 11, when it was summoned to Reading. It was formally opened there, and immediately adjourned to Feb. 14, at Westminster.

In the meanwhile, Somerset was committed to the Tower, Thorpe, with another member—the bearer of an illustrious name, Walter Raleigh, knight for the shire of Devon—to the Fleet, and a commission had been issued under the Great Seal, appointing Richard Duke of York lieutenant of the kingdom, with power to hold Parliament, finish and dissolve it. The Commons claimed the release of these two members on the day of meeting, and York put in his reply on the day following. The case of Thorpe is a leading and familiar one in the annals of Parliamentary privilege, and has been frequently commented upon, sometimes as illustrating the position taken by James the First, that the privilege of Parliament was a precarious concession of the Crown, which could be resumed at pleasure; sometimes as a proof that this particular Parliament was cowed, sometimes as an illustration 'of the iniquity of the times.' But if the averment of York, in his reply of Feb. 15, be correct, Thorpe had been legally convicted, in the proper court, and with all deference to his function as one of the officers of the Exchequer, of a serious trespass, accompanied by a gross breach of the peace. There appears to be no informality in the proceedings and no haste, for it is impossible to believe that the Duke could have inserted a reply on the Roll of Parliament, the particulars of which, if false, could have easily been refuted by a recent record of judgment, enrolling a debt due to the Crown. Besides a trespass *vi et armis* is a breach of the peace, and the privilege of Parliament did not protect a member who was guilty of a breach of the peace. In their changed mood too, the Commons would not be unwilling to be rid of a partisan Speaker, whose authority and initiative was at that time so great in their House. That their temper was changed is shown

by their curt answer to the Chancellor on March 13, when he informed them that £40,000 was urgently and instantly wanted for the defence of Calais and the marches which were in jeopardy. They flatly refused to make any more grants, reminding Kemp of an unfulfilled promise to them, that public affairs should be directed by a 'sad and wise council of right discreet and wise lords and others.' The Commons elected a new Speaker, Sir Thos. Cherleton, and Thorpe remained in prison. No further information is given as to the fate of Raleigh. Thorpe must have been released soon afterwards. He was present next year at the affair of St. Alban's, and does not appear to have been distinguished by personal courage on that occasion.

The malady of the King continued. He had been moved to Windsor, and some means had been taken for the conduct of ordinary business by the appointment of the Duke of York to the function of presiding over the Parliament, now most unwontedly in the second year of its sitting. But a crisis soon occurred. On March 22, Kemp, Archbishop of Canterbury and Lord Chancellor, died suddenly. He had been nominated to the archbishopric, Gascoigne tells us (p. 37), by Somerset, and had been successively Bishop of Rochester, Chichester, London, York, and lastly Canterbury, having sat on the episcopal bench since 1419. If my author can be relied on, his neglect of duty during his long episcopate had been uniformly scandalous. 'For nearly twenty-eight years, during which he was Archbishop of York, he was wholly absent from his diocese, residing in London, or in Kent, or in other parts of England far away from his diocese, except that once in ten or a dozen years he stayed there for two or three weeks. He was seldom or never in York, and suffered his palace to fall into decay, for he never repaired it during the time he filled the see.'

My readers will remember the manner in which Macaulay dilates on the flight of James from Whitehall, and the disappearance of the Great Seal, which the King threw into the Thames. In the fifteenth century, the continuous use of the Great Seal, always in the custody of the Chancellor, was even more important. It was absolutely necessary for the conduct of business to fill the vacant office, and none but the King could appoint the Chancellor. Hitherto it appears that he had been in the Queen's keeping, and that no one had seen him since his malady had commenced, except the members of his household. It was determined at once to appoint a

committee of the Lords to wait on the King at Windsor, and to inform themselves as to the state of his mind. It appears clearly to me that the Peers had no conception of the extent of the King's derangement. With considerate delicacy they did not appoint York as one of their number. The committee consisted of twelve persons, Waynflete Bishop of Winchester, Bourchier Bishop of Ely, who was soon Kemp's successor in the primacy, and Bowles Bishop of Litchfield; the Earls of Warwick, Oxford, and Shrewsbury, Viscounts Beaumont and Bourchier; the Prior of St. John, and Lords Falconbridge, Dudley, and Stanton.

The report which these personages gave of the King's condition is well known. They found that his physical powers were almost gone, and that his mind was entirely gone. They made their report on the 25th of March. On the 27th York was appointed Protector and Defensor Regni, the term implying such powers as had been conferred during Henry's nonage on Humphrey Duke of Gloucester. The instrument provided that York should hold office till he was superseded by the King, or till the prince, now about five months old, should come to years of discretion. It is evident that the Committee of the Lords, who had waited on the King, inferred from what they saw that the disease was incurable. On April 3, three letters patent were issued conferring powers on the Duke of York. The Great Seal was given to the Earl of Salisbury, who is known as father of the Earl of Warwick, as the staunchest partisan of York, as included in the attainder of Coventry, and as sharing his fate at Wakefield. The Archbishopric was given to Bourchier, brother of Viscount Bourchier, who in later times was also a Yorkist. Bourchier remained Archbishop of Canterbury for thirty-four years, and seems to have acquiesced in all the changes of the succession from the downfall of Henry the Sixth to the accession of Henry the Seventh. The government of Calais was taken by the Duke of York, and Somerset remained in the Tower.

At Christmas, Henry recovered his physical and mental health as completely, it appears, as he lost them, released Somerset, superseded York, and took Calais into his own hands. It appears from Gascoigne (p. 203) that Somerset had been committed to the Tower by the Council, and that after his 'illegal release, the Duke of York wrote to the King by the hands of Wulfet his confessor, while he was residing at St. Alban's,

entreating him to re-commit Somerset into the hands of two knights, who should convey him to the Tower into lawful custody; that this petition was refused, and that thereupon he attacked Somerset, who was then in St. Alban's, preferring that Somerset should be taken prisoner, than that he (the Duke of York) should be seized and slain by Somerset. No one was spoiled of his goods with the Duke's will, but against it, as I heard from trustworthy persons, and the Duke of York, Richard, had his pardon or indulgence granted him by Parliament in London, along with his adherents in the battle of St. Alban's, for all that had been done in that battle, and for everything occurring there, on which any man might make plea or quarrel against the Duke or against his comrades.' Somerset, who was killed at St. Alban's on May 22, 1455, with the Earl of Northumberland, and Lord Clifford, had been released from the Tower on Feb. 5 preceding, by the King's writ.

The battle of St. Alban's, though in itself a mere skirmish, developed the inextinguishable feuds of the civil war. The quarrels of Lords Devon and Bonvile, the feud which came from the marriage of Thomas Nevil, son of the Earl of Salisbury, with the niece of Lord Cromwell, between the bridegroom and Thos. Percy, Lord Egremont; the anger of the House of York at being excluded from the King's councils, and the sight of Somerset and the Queen in the conduct of all affairs, stirred bad blood enough. The Queen, after the loss of three among her more zealous partisans, made up her mind to the ruin of York, and the advantage which York gained at St. Alban's made him equally determined to secure himself from risk by obtaining a recognised position in the state, under the authority of Parliament. The King did his best to mediate between the parties, and effected from time to time formal but hollow reconciliations. But nothing could erase the bloodshed of St. Alban's, and as Gascoigne is fond of saying 'sanguis sanguinem tetigit.'

The Parliament of 1455 met on July 11, and the Commons presented Sir John Wenlok as their Speaker. They were soon prorogued to Nov. 12, for the harvest was at hand. On Nov. 19 York was again appointed Protector, for the King's mind was again affected, though not, it appears, so seriously on this occasion. There is, indeed, a commission issued on June 5, to Gilbert Keymer, Dean of Salisbury, and Doctor of Medicine, the King's physician, and on March 10, 1456, another commission is

issued to purvey minstrels, in order to give the King solace. On Dec. 12, 1455, York takes the precaution to which I have referred above, on the day before the House rose for the Easter holidays, of getting his Protectorate continued till he be discharged by Parliament. But on Feb. 25 he is again exonerated from his office by the King himself. 'After he had been appointed,' says Gascoigne (p. 204), 'protector of the realm of England by the Parliament in London permanently (*futuris annis*), Margaret, Queen of England, with whom England got no goods, but the loss of Maine and Anjou, which lands her husband, Henry the Sixth, gave in perpetuity under his Great Seal to the Queen's father, so laboured by herself and other lords who were thought ill lords to the realm, that the Duke gave up the authority which the whole Parliament had entrusted to him before, and then she carried off to her own place, in the county of Chester, the King and the prince too, then two or three years old; and she so ruled in the year 1456, that everything in the realm was wrought by right or wrong, as many said, at the Queen's will.'. No Parliament sat between Feb. 1456, when York was dismissed, and that held at Coventry in Nov. 1459, more than a year after Gascoigne's death, when the whole Yorkist party was attainted.

I suspect that Gascoigne is in error when he states that the Queen carried the King off to Cheshire. No public instrument is to be found in Rymer between July 26, 1456 and Jan. 28, 1457. But the diocese of Lichfield and Coventry is commonly called the Bishopric of Chester during the fifteenth century, and Coventry was the stronghold of the Lancastrian party, remaining faithful to that house long after its fortunes seemed desperate. Several documents in the early part of 1457 bear the King's teste at Coventry, and it is probable that during the summer and autumn of 1456, when there are no instruments, he was at Coventry.

A few days after Gascoigne's death, on March 24, 1458, Henry issued the instrument of Pacification, which is transcribed in Whitehampstede, under which the victors at St. Alban's were to be bound to found a chapel for the repose of those who had perished in the battle; and that both parties should acquiesce in the amity which the King strove to bring about. I would fain see in this document the hand of some among the better churchmen, who had, in this short calm before the storm, gained access to the King.

One event, however, occurred in the autumn of 1457, which made a deep impression on Gascoigne's mind, the trial and condemnation of Pecok. The singular circumstances which attended this trial, the fact that this bishop is the only prelate of the pre-reformation period who was formally condemned for heresy, the ambiguous and obscure character of the charges made against him, and the happy accident that one of the books at least for which he was condemned has been preserved in the Cambridge University Library (having been printed in the Rolls' Series by Mr. Churchill Babington), and is, apart from any intrinsic merits which it may possess, a most interesting work, written in fifteenth-century English by an educated churchman, have surrounded the memory of Pecok with a reputation which his critics and judges would have hardly anticipated. In his search after witnesses, Fox makes him a devout precursor of the Reformation, a pious prelate who was grievously sinned against. Lewis, who has written his life, but certainly has never read Gascoigne's MS., speaks of 'his lordship' with similar feelings of reverence. Gascoigne tells us more about him than any one else, for he detested him heartily, and rejoices over his condemnation with the most orthodox satisfaction.

Reginald Pecok was by birth a Welshman, a fellow of Oriel College, Oxford, who at first (p. 18) had a considerable reputation for learning and orthodoxy, who quitted Oxford for the court, and graduated in theology by special licence, or dispensation of the regents in the Oxford Schools (i.e. the younger masters), in the year 1445, when Gascoigne was Chancellor (pp. 26, 215). He had been made Bishop of St. Asaph in 1444, by the influence of two well-known persons, and forthwith took an active part in public affairs, writing and publishing both English and Latin books, the names of two of which, 'De Fide' and the 'Provoker,' have been preserved by Gascoigne. In 1447 and 1449 he preached at Paul's Cross, to the effect that bishops were not bound to preach by virtue of their office; that originally the function of bishop and parish priest were one, but that since the parochial clergy had been entrusted with local duties, they had relieved the bishops from their previous obligations. It appears that he published this sermon in English, and that it made him highly popular with his episcopal brethren. He further held that it was the bishop's duty to be better informed about

the more abstruse points of theology, and not to trouble themselves about giving that elementary instruction which may be well left to the parochial clergy and the curates, unless they think proper; that they may be very reasonably absent from their dioceses if they have more important work to attend to, which it may be their duty to perform, there being many more important spiritual functions for a bishop than preaching sermons. He further held that neither pope or bishop were simoniacal in giving and accepting papal provisions, and by paying and receiving the first-fruits of benefices. This denial of the obligation to preach Pecok afterwards softened down to a statement that bishops are not bound to preach in the customary manner, viz. by taking a text and dividing its matter into heads. This explanation (p. 35) did not satisfy his hearers, who said 'That bishop is now preaching publicly, and showing that his deeds and his words are contradictory.' 'The fact is,' says Gascoigne, 'he was always altering what he uttered, and when pressed to explain his published opinions, tried to escape by saying that uncorrected and unauthorized works of his got into circulation.'

Perhaps these opinions, though they grievously offended such zealous and diligent preachers as Gascoigne and some of his friends were, might have been tolerated, had he not entered on the dangerous ground of disparaging great ecclesiastical authorities. Thus he allowed himself to state that the works of Jerome, Ambrose, Augustine, and Gregory were of no higher authority than those of ordinary men, and are quite as much open to question. He also denied the authority of the Apostles' creed, which he alleged to be of far later date than the Apostolic age; and in particular asserted that the descent into hell was an interpolation of no authority whatsoever, not being in the creed in the time of Augustine (p. 210). He further averred that reason was superior to authority, and hinted not obscurely his doubts about the incarnation. 'He put,' says Gascoigne (p. 211), 'the law of nature above Scripture and above the Sacraments, and said in word and deed, "my soul loatheth this light food," meaning the works of the fathers and other saints.' It was, perhaps, a minor matter, that he held that the constant attendance of the bishops at court, and their filling offices of state, was not only excusable but commendable, and that the income of ecclesiastics was as much their own to dispose of

as the private or secular estate which they or others might enjoy (p. 100). To Gascoigne, however, such tenets or rules of conduct were as odious as any heresy, and in his opinion the principal causes of corruption in Church and State. 'He claimed,' says my author, 'to be tried by his peers, by which he did not mean the English bishops, who were not at that time, as some thought, found to be competent, but he wanted to have such examiners of his books as he called his peers in scholastic disputations, and in the popularity which he expected to get from his young partisans, who were noted for unsound belief, and reputed to be his followers.'

Pecok was, it appears, an erastian, to use a phrase of later theology. He held that a man ought to believe that there is a Catholic Church, but need not abide by its decisions if he has sufficient ground for objecting in his own mind against them (pp. 100, 214). But his objections were to be esoteric, not schismatic, and to be coupled with outward conformity. He would have the laity respect the motives and accept the teachings of the clergy, that it should not break away as the Lollards and Bible men did, but he would exact no more than conformity. But it is again difficult to doubt that he inclined to Arian tenets, if Gascoigne (p. 217) is correct in ascribing the couplet to him, for which he supplies a rejoinder. 'The law of England is that the lords of Parliament, when accused of any great crime, should by twelve lords barons, their own peers, be acquitted of the crime charged against them, or be pronounced guilty; but that Bishop Pacok' (Gascoigne is plainly punning on his name), 'a Welshman by birth, accused these holy old doctors of falsehood, or incompleteness in their writings, but he was proved to be their equal, neither in holy life, nor in their great learning and miracles, and so, in rejecting them, he shot his arrow at the sun, and his own arrow, by the just judgment of God, fell on the proper head of that Bishop of Chichester, Reginald Pacok.'

Still it is not probable that the bishops of Pecok's day would have proceeded to such lengths against their brother, who had excused them their duties so handsomely, and in his book, 'The Repressor of too much blaming of the Clergy,' had published a defence of the whole clerical order, had he not committed some other fault. This I think must have been the letter which Pecok sent in 1456 to Cannyng, the Lord Mayor

of London. This man, who was brother of the more celebrated mayor of Bristol, to whom the magnificent church of St. Mary Redcliffe was due, and was a member of the Company of Grocers, with the Chicheles, brothers of the Archbishop. All that is known of this letter is contained in Gascoigne, who (pp. 212–13) mentions twice over that the Lord Mayor, on reading it, and detecting in it very suspicious passages, tending to change of fidelity (for I interpret 'fides' here to mean loyalty to the king) and of insurrection in the realm of England, sent it on to the king, and that when the king and lords read it, they detected the same tendencies, and that great scandal arose about the great lords in the realm, who, he said in his letter, were on the side of him and his English books. And he observes that all the temporal lords of the realm, who were with Henry, demanded that he should be expelled from the king's council and that of the lords. This expulsion took place about St. Martin's day (Nov. 11), 1457, for no temporal lord in the king's council would state his opinion and advice, or utter what he thought would be for the good of the kingdom until Pecok was driven out of the council chamber. Then Pecok was ordered to bring his books, nine in number, to the archbishop, in order that they might be examined by such doctors as the archbishop might appoint.

Pecok was degraded, his books burnt at Paul's Cross, where, Gascoigne says, the populace would have burnt him too if they could have got at him, on Dec. 4. The same ceremony was performed at Carfax in Oxford, by Chandler, Chancellor of the University and Warden of New College, on Dec. 17. He had made his abjuration on Nov. 28 at Lambeth, in the presence of the Archbishop of Canterbury, the other bishops, and many doctors of theology, two temporal lords, Lords Stanley and De Scales, and many Knights. He was then committed to Maidstone to await judgment. Pecok, we are informed, was ultimately sent to the Monastery of Thorney, where a decent allowance was made him, but where he was not to be allowed writing materials. He thenceforth disappears from history. The particulars of his trial, as far as known, are given in the edition of the 'Repressor' published in the Rolls' Series.

I am convinced that the 'brawlers in the pulpits,' as Pecok calls the orthodox preachers, would have denounced his heresies in vain had he not ruined himself by his letter to the Lord Mayor. I have already sug-

gested that the king's mind was again clouded in the second half of the year 1456. In February and March 1457, the king was at Coventry and Banbury, in June he was at Coventry again, in July at Kenilworth. The letter was probably received by the Council in November, shortly before the bishop's expulsion from the Council. From August 1, 1457, to June 8, 1459, all the instruments in Rymer are witnessed at Westminster. In July 1459, the king is at Coventry, whither he went again in November to hold the Parliament of Coventry. But what it was that Pecok wrote to Cannyng is, and probably will remain, unknown. That Henry and his counsellors were entirely deceived as to the ultimate intentions of the Yorkist party is plain, by his having conferred the government of Calais on Warwick. It is possible that the party had no ultimate intentions till after the Coventry Parliament. It is possible that the bishop divined their motives, and that they thought it convenient to destroy him. It is certain that Henry was convinced of Pecok's heresy, for he inserted in the statutes of King's College, Cambridge, a new clause, bidding the fellows expel any of their number who might incline to Wikliff's or Pecok's teaching.

Gascoigne tells (p. 176) a characteristic story of the king. He had gone to Windsor, probably to ask the king to grant that charter to Oxford University, by which the Chancellor was *ex officio* a justice of the peace. 'The king asked me at his Castle of Windsor, "Why, Doctor Gascoigne, are you not a bishop?" and I answered him, "Sir, I tell you, if I wished to honestly get much money, I would rather be a good tailor than the most learned doctor in England, while matters hold in England as they do in modern times."' That the bishop-maker in England should ask Gascoigne why he was not a bishop, shows a simplicity which is hardly conceivable. The allusion to a good tailor probably refers to the tight-fitting dress of Henry's time, on the indecency of which Gascoigne comments (p. 145).

Henry was not indeed a mere cypher in his government. Had his reign fallen on quieter days, his blameless life and sincere piety might have made him respected, and his kindness have humanized his people. There are stories told of him which show that he had some force of character, and that the people about him were anxious to keep him in the dark, lest he should undertake a reformation in society. There

were preachers in Gascoigne's days, our author informs us, who denounced the vices of the time. These were chiefly the London clergy, three of whom, the Rectors of St. Andrew's, Holborn, and All Saints', and the Master of Whittington College, spoke out boldly. But James Say, Lord Fiennes, took care that the King should not hear what they said, 'for he and others about the King would allow no one to preach before the King unless the sermon were written and submitted to them, or unless the preacher promised on oath that he would not preach against the King's household, or against the King's doings, or against the doings of his Privy, or to be more accurate, his depraved, Council; and so he unjustly and unfairly, and they who sided with him, bound the Word of God, lest it should go forth to the public good and duty' (p. 191).

Fiennes was one of the victims of Jack Cade's insurrection in June 1450. In the autumn of 1449, discontent with the government was universal, and when the Commons met on Nov. 6, the popular opinion pointed to Suffolk as the cause of all the national calamities and national disgrace. He had negotiated the marriage of Henry with the pauper daughter of the pretended King of Sicily, who brought the king no dowry but loss, the loss by cession of Maine and Anjou; and again by conquest or by treachery of Normandy and Guienne. He and those about him had impoverished the king and enriched themselves. The commons on meeting elected Sir John Popham Speaker. He declined to serve, on the plea of age and infirmity, and they chose Thomas Tresham, who had been Speaker in the Parliaments of 1439, 1442, and 1447, and was one of the knights for Northamptonshire.

The air of Westminster was pestilential, and the first session of the new Parliament was held at the house of the preaching friars near Ludgate. The House debated public affairs, but there are few records of their doings on the Rolls between the day of their meeting and Dec. 17, when they were prorogued. But it must have been to this time that the following passage of Gascoigne refers. 'The Parliament of England (p. 190), continually worried by annoyances and expenses, openly said that it would never grant the king a tax unless he first by the authority of Parliament resumed all that really belonged to the Crown of England, which the king had previously given and alienated from the Crown.' It is also to this Parliament that we must refer the passage (p. 189) which

speaks of the threats which were made against the Commons by the king and his young counsellors; and of the orders given to the House, that they should proceed with that business which the king put before them, and not meddle with the acts of the king and those of his lords. It is plain that in the session before Christmas they had debated topics which were unpleasing to the court, had delayed supply, and had begun to contemplate an act which would afford the gravest and most serious precedent in Parliamentary action. On Dec. 17 the House is adjourned to Jan. 22.

On Jan. 9, Adam de Moleyns, Lord Privy Seal and Bishop of Chichester, one of the aristocratical prelates whom Gascoigne describes (p. 39–40) as constantly hanging about the court, neglecting the care of their dioceses, and collecting fortunes by very doubtful, perhaps discreditable expedients (p. 174), who had been engaged with Suffolk in negotiating the marriage of Margaret and Henry, and the cession of Anjou and Maine, was murdered at Portsmouth by divers sailors and others there. He had gone to Portsmouth to see about the troops for the French service, and probably to pay them or arrange for their pay. He was not, it appears, killed in a sudden fray, but after some kind of enquiry or trial, for it is stated that he alleged in his defence, that he was not responsible for the losses which the country had suffered, but the Duke of Suffolk only, the King's minister and the Queen's favourite, who was, as he alleged, in collusion with France. It is to such an understanding that Gascoigne refers when he narrates the conversation (p. 205) between Powntes, the French herald-at-arms, and St. Barb, a Somersetshire esquire.

The determination to attack Suffolk was matured in the Christmas recess. On the day that Parliament met, the Duke petitioned the king to the effect that rumours had been current against his loyalty and character, and that the Commons had eagerly adopted and given shape to them. He protested that he was innocent, appealed to the services of his family and himself, of how many of them had lost their lives in the king's service, and begged that he might meet his accusers. The circumstances remind one of the trial of another royal favourite and unpopular minister 190 years later. Suffolk was well-nigh as friendless, even in the Lords, as Strafford was, for beyond the protest of Lord Beaumont, which is

only technical, no one seems to have interposed on behalf of the favourite.

On Jan. 26, the Commons reported to the King that the Duke admitted that there were heavy charges against him. They declared that they were ready to make these charges good, and requested that in the interval Suffolk should be committed to prison. The Lords, in their capacity of the Crown's advisers, consulted the Judges as to the law in such a case. After consultation with his brethren, the Chief Justice appears to have advised them that it was necessary, before committal on so grave an issue, that particulars should be alleged; for they answered on the same day unanimously, that the Duke ought not to be taken into custody, till the details of the charge were laid before them.

The Commons were ready. On January 28 the Speaker, Thomas Tresham, exhibited nine articles from the Lower House. In the first of these it is stated that the Duke of Suffolk had betrothed his son John to Margaret, the only daughter of John Duke of Somerset, who was, failing issue from the King, the next heir to the throne, and that since the impeachment had been determined on, the pair had been married. Margaret Beaufort, afterwards the wife of Edmund Earl of Richmond, and mother of Henry the Seventh, was at that time nine years old, having been born in 1441. Suffolk's son actually married Elizabeth Plantagenet, daughter of the Duke of York, and appears to have been neutral through the whole of the civil war. If the marriage or rather the betrothal had taken place, it must have been subsequently rescinded, as the marriage of young minors constantly was. But the introduction of this statement into the indictment is important, because it shows that as early as 1450 people were speculating as to who would be the heir to the throne, in the probable event of Henry's dying childless; that the Beauforts were not considered illegitimate, while the prevalence of such a rumour goes far to explain, concurrently with the fact that Somerset had superseded York in the government of France, the early enmity between the two dukes, which culminated in the affair of St. Alban's. This indirect acknowledgment of the power of women to inherit or transmit a title to the crown is a very significant hint that Richard Plantagenet's descent gave a better claim, at least theoretically, to the throne, than that of the reigning family.

It was perhaps at this time, if the story which rests on the authority of William of Wyrcestre be correct, that Thomas Young, member for Bristol, a lawyer, and a brother-in-law of the Cannyngs, moved in Parliament that the Duke of York be declared heir apparent to the throne. It is added that Young was thereupon committed to the Tower. This story is supposed to be confirmed by the fact that nearly six years afterwards Thomas Young petitioned the House to the effect that he had been arrested and imprisoned without indictment, and with loss of goods, for matters said in Parliament. The Commons endorse his prayer, and request that he may have a sufficient and reasonable recompense. The petition is referred to the Lords of the Council to provide according to their discretion. It seems strange, however, that Young should have allowed so long a period to elapse without stating his grievance. Gascoigne, though no friend of the Royal House and the Court, is absolutely silent as to any claim to the throne, near or remote, in the house of York.

Suffolk was at once committed to the Tower, and on February 12 the Lords reported that in their opinion a copy of the articles of impeachment should be supplied to the judges. From Gascoigne's language (p. 218) it appears that in his time a peer of Parliament, accused of a great crime, was tried by a jury of twelve peers, who were to acquit or declare him guilty, no mention being made as to the presence of the judges at the trial. The answer of Chief Justice Gascoigne to Henry the Fourth appears to refer only to the privileges of the episcopal order. But it is not easy to see why the judges should be furnished with a copy of the articles, unless they were to take some prominent part in the proceedings. The King or Queen, who evidently thought that the affair would pass off if Suffolk were kept out of sight for a time, refused to adopt the counsel of the Lords.

On Saturday, March 7, the Lords returned to the subject, and insisted that Suffolk should answer the charges made against him. It is impossible to doubt that they were acting in concert with those who had the conduct of the impeachment in the Commons, for on the following Monday, March 9, the Commons, by their Speaker, presented eighteen other articles. It was necessary to meet this united attack and these new charges. Suffolk was brought from the Tower, and the

particulars were read in his hearing. He asked for copies, which were granted, and he was now put into custody in a tower in the palace of Westminster. On the following Friday, March 13, he made his defence before the King and the Lords. Had the trial proceeded, it seems certain that he would have been convicted, his principal enemy in the Lords at that time, Lord Cromwell, being active in pressing forward the accusation. To save his minister, Henry took the matter into his own hands. On March 17, without affecting to pronounce any judgment on the merits of the articles of impeachment, he bade him go into banishment for five years, on or before May 1, and to any country except France. The Peers, through Lord Beaumont, the Constable of England, protested that this act of the King was not done by their advice, assent, or desire. On May 25 Lord Beaumont was ejected from his office, and the Earl of Northumberland, afterwards a zealous partisan of the house of Lancaster, was put in his place. Even he, however, was superseded on September 11 by Somerset, who had returned from France. On March 30 Parliament was prorogued, partly because Westminster was unhealthy, partly because Easter (April 5) was near. It was to meet at Leicester on April 29.

Suffolk was now set free at nightfall, and, hardly escaping the London mob, contrived to reach his estate. But he ran no little risk in the country. The public mind was greatly excited. Seditious libels were affixed to the doors of churches and other public buildings, and all the signs of an outbreak were visible. A proclamation, issued on Easter Eve (April 4), threatens the authors of these libels with punishment. Suffolk remained at his estate till the time appointed for his banishment, engaged in arranging his affairs. It was at this time that he wrote that long and interesting letter to his son which was printed by Fenn. His voyage from Ipswich, his capture by the Nicholas of the Tower, and his mock trial and execution, are told by all historians. Gascoigne informs us (p. 7), on the authority of one of the Duke's servants, that the astrologers had told him, as he lay in the Tower of London, that if he escaped thence, their lives for it, he would not die a violent death, and that Suffolk's escape from the Tower was effected under the King's private orders.

The Commons met on the appointed day at Leicester, and imme-

diately made that grant of an income-tax to which I have already referred. I discover in this tax on annuities and salaries, as well as rents, a determination on the part of the Commons to exact something from those very numerous pensions which had been granted from the estates of the Crown, and which would certainly be exempted from any act of resumption, however thorough, as may be seen to be the case in all the acts of resumption which are recorded on the Rolls of Parliament from the reign of Henry the Sixth to that of Henry the Eighth. After supply, the Commons set to work on the two reforms which were most distasteful to the Court and those *juniores consiliarii* of whom Gascoigne speaks, the management of the royal household, and the resumption of the King's hereditary revenue, now dwindled almost to nothing. The mismanagement of domestic affairs was as conspicuous and irritating as the mismanagement of foreign affairs was dishonourable and humiliating. The country was fleeced by purveyors, who took the farmer's corn and cattle, paying for them by tallies on a bankrupt exchequer, which was fifteen years of the ordinary revenue in debt. The army abroad was demoralised. During the Easter recess, the English lost the battle of Fourmigny, and with it all hopes of retaining Normandy. Caen was taken on July 1. Falaise and Cherbourg fell soon after, and Charles of France was free to attack Guienne. Domestic bankruptcy and foreign disgrace, the penniless Queen, the loss of England's ancient possessions, and the malpractices of the ministers and favourites were in every one's mouth. The Court was determined to keep the Parliament together till it became compliant; the Parliament was equally determined to reform the finances and relieve the people from intolerable extortions. While this struggle was going on, news came which suspended all deliberations. The Parliament and the King's young counsellors were wrangling at Leicester, while the whole south of England was in sudden insurrection.

It must have been in the early summer of 1450 that Gascoigne wrote the notes which may be found in pp. 219–20. 'There might,' he says, 'have been peace between the kingdoms of England and France, with a large annual tribute to the English, if an English duke and bishop had not refused the terms, when the council of either side was at the altar.' 'The Jewish law ordained that men should take wives from their own tribe and nation, that the inheritance should remain in families,

and the tribes be not intermixed, but remain as they were separated by God, from whence it is plainly expedient, and preventive of many evils, that kings and great lords should take to themselves wives from the same realm, that the inheritance may remain to the people of the same realm, and nations be not intermixed, but remain as God has divided them, viz. by different seas, sometimes by deserts, and by mountains; that different kingdoms may be ruled by different but their own inhabitants, lest the ambition of empire bring mischief on both, when a king is divided into more and greater territories than he is able to rule.'

The news of Cade's revolt struck terror everywhere, most of all into the hearts of those time-serving, greedy, and corrupt bishops who hung about the poor King. They hid themselves in those dioceses which they had so long neglected, for it was death for them to remain in London. Even here they were not safe. William Aiscough, bishop of Salisbury, the King's confessor, had escaped to his manor of Edyndon, in Wilts. Here, after he had celebrated mass on June 29, he was dragged out of church, murdered, and his goods pillaged (p. 158), the people saying, 'he always kept with the King, and was his confessor, and did not reside in his own diocese of Sarum with us, nor maintained hospitality, therefore he shall be slain,' and so they beat and stabbed him, wounding him severely with horrible weapons, and cast him naked into the fields after the murder.

The story of Cade has been mutilated by Lancastrian partisans in the Tudor time. He is made out to be an impostor who pretended to a royal pedigree, a noisy and ignorant ruffian, whose aims were plunder and mob government, who had an insane hatred of education, and intended to level the country to a coarse communism. But the captain of Kent, or the captain of the commons, as he was called, was a very different person in the eyes of those who witnessed the outbreak. 'He was,' we are told, 'a young man of goodly stature, and right pregnant of wit.' After the battle of Sevenoaks, when he encamped on Blackheath, and the King sent Stafford, the Archbishop of Canterbury, and the Duke of Buckingham to confer with him, they found him 'sober in talk, wise in reasoning, arrogant in heart, and stiff in opinion.' Men would not fight against him, for they said that he and his followers 'laboured for the

common weal,' and 'spared not to speak that the Captain's cause was profitable to the Commonwealth.' Gascoigne tells us (p. 190) that while the Commons were wrangling with the King's young counsellors at Leicester, and the young counsellors were trying to browbeat the Commons, and 'before the settlement of many articles in that Parliament, the commons of Kent rose under their Captain John Cade, who was descended from a base-born Roger Mortimer, and that this captain, after pardon granted to him and his by the King, was mortally wounded by the treason of his servant, and brought dead to London in July, 1450.'

The fifteen articles contained in the complaint of the commons of Kent are well known. They do not, however, occur in the Rolls of Parliament. They are, speaking generally, identical with those grievances of which the Commons complained, which they had been striving, both in London and Leicester, to redress. The battle of Sevenoaks was followed by the occupation of Southwark, the entry into London, the beheading of Lord Fiennes and his son-in-law, Cromer, the sheriff of Kent, and the battle of London Bridge. This fight was indecisive, and the King, taking advantage of the opportunity, issued a pardon. The expedient had the usual effect, and the insurgents dispersed. Cade, after taking his goods to Rochester, and having attempted unsuccessfully to seize Queenborough Castle, fled to Lewes, where he was slain, and the insurrection was at an end. How grave it was is to be seen in the attainder of Cade, and in the number of persons who for some years afterwards were charged with complicity in the outbreak. Among these was Sir Wm. Oldhall, Speaker of the Commons in the Parliament of Nov. 1450, who was outlawed in 1453, for having been a favourer of Cade. Cade himself professed to believe that the King's pardon was invalid unless it were affirmed by Parliament.

Other disturbances occurred simultaneously with the Kentish insurrection. In narrating an atrocious crime committed near Newbury, Gascoigne (p. 139) mentions that it took place during an insurrection in these districts. Similar riots occurred in Devon.

The courtly bishops and the King's counsellors accused the orthodox preachers of fomenting these disturbances, in consequence of the sermons which they preached against the vices of the age. 'The preachers of the Word of God,' says Gascoigne (p. 188), 'the most

eminent doctors of the age, were traduced before the King and Council, when the real causes were the wrongs of the kingdom, the enormous taxes, the total failure of justice both in civil and ecclesiastical courts, so that if the preachers had been silent, the stones, i.e. the people, would have cried out.'

Hitherto, all action which had been taken by the Commons or by the insurgents, by Parliament which fairly expressed the national sentiment, and by associations which professed to do so irregularly, had been on the side of the reforming party. Suffolk had been expelled from the royal councils, and dispatched by an agency only less informal than that of the London mob, who hewed his horse in pieces and slaughtered his stable grooms. It would have been infinitely better for Henry's house—the malcontents would never have touched him—if he had let Suffolk take the trial which Lords and Commons were equally anxious to bring him to. There is nothing more touching in English history than the reverence which all men felt for Henry. Had it not been for the sweetness of his character, his gentle piety, his unswerving conscientiousness, the events of 1461 would have been anticipated in 1450.

William Tresham had been four times Speaker of the House of Commons. Only one other man had been honoured so often with the confidence of the House. He had, as in duty bound, led the attack on Suffolk. The precedent, though the purpose of Parliament was baffled by the King's lenity or the Queen's will, was of prodigious importance. After the lapse of two generations, the Commons had reasserted their right to impeach an offending minister, whose acts could not perhaps be exaggerated into treason, but were far more mischievous than the crimes of any ordinary traitor. The session of 1450 was, on constitutional grounds, the most important that had hitherto been held in the history of the English Parliament. The two houses were obviously at one, and it was plain that if the two worked together they could strike terror into bad ministers. Sir John Popham, who had been first elected, declined the office on the ground of age and infirmity, but more probably from timidity, and Tresham had consented to serve again. I do not conclude that he was revolutionary, still less Yorkist in his tendencies. I see no reason to believe that in the sense of hostility to Henry and Henry's family, there was a Yorkist party. It is probable that he was a loyal

subject of Henry. In those days, blood feuds were not early forgotten, and it is worth noting that Thomas Tresham, his eldest son, of whom we shall hear presently, was Speaker of that Coventry Parliament in which the family of the Duke of York and all his adherents to the number of twenty-four were attainted, and was himself attainted after Towton, though restored by Edward IV. His grandson, Roger Tresham, was also a Lancastrian, served in this interest at Empingham, was attainted in 1475, and restored by Henry VII.

The Speaker of the House which had lately separated, we can hardly say had been dissolved, during the hurry and alarm of Cade's insurrection, had appointed to meet the Duke of York, probably at his castle of Fotheringay, who was now returned from Ireland, where he had been sent, says Gascoigne, against his will by the King (p. 42). It was known that Somerset was on the point of returning from France, and it was feared, we may conclude, that Somerset would be worse than Suffolk. It was known also that another Parliament must speedily be summoned, if indeed the writs for that which met on November 6th were not already issued. It was certain that Tresham would again be Speaker, and it was natural and proper that the Duke of York, who had taken no part in the prosecution of Suffolk, and had not yet quarrelled with Somerset, should confer with the chief commoner in the kingdom. One Simon Norwich, who it is suggested was an agent of Lord Grey de Ruthyn, the head of a family which was peculiarly insolent, perfidious, and unmanageable, even in that bad age, determined to waylay and murder the Speaker. It was necessary, however, to learn the route which Tresham intended to take. Norwich therefore sent a spy, who insinuated himself into Tresham's confidence, and became acquainted with the plan of his journey. On Sept. 22, as Tresham and his son Thomas were riding from their home at Sywell to the conference, the assassins, to the number of 160 or more, set upon Tresham when he was a little ahead of his retinue, at Thorplandclose, near Moulton in Northamptonshire, murdered the father, wounded the son, and robbed them both, the father of a collar of the King's livery—a significant fact, a gold chain, signet, and jewels, horse, and £20 in money; the son, of his horse and personal effects. These particulars are stated by the widow, Isabel Tresham, a daughter of Vaux of

Harrowden, in a petition presented to the Westminster Parliament of November, in which she gives a long and circumstantial narrative of the manner in which her husband had been trepanned and murdered. She claims the right of appeal to men of Northamptonshire only, on behalf of herself, or, in the event of her death, for her son. Tresham dwelt in his own country, and his widow knew that she could obtain justice from the verdict of her neighbours. I have little doubt that the blow which fell on Tresham was intended for Parliament, and that whosoever set the assassins on, hoped that the fate of the Speaker would counsel prudence to all constitutional reformers for the future.

If the murderers of Tresham intended to cow the Parliament, they were for the time disappointed. The House which met on Nov. 9, 1450, went to work on the lines of its predecessor. It elected as its Speaker Sir William Oldhall, whose opinions it will be remembered were so pronounced that in 1453 he was attainted and outlawed for having been an associate of Cade. But its doings were not factious or revolutionary. It began by confirming the subsidy or income-tax which had been granted in the previous year, and made provision for an accelerated payment of the arrears. The defaulters were to be summoned and examined by commissioners, assigned or to be assigned by the King, who were to have the power of punishing by fine and ransom those who might make default, and by imprisonment and forfeiture those who resisted the commissioners. To clear up doubts, the liability of the tax is limited to those who have over 40*s.* clear income in freehold or copyhold lands, and over 60*s.* annually from office. No person who was a member of the existing Parliament, or had been a member of the last, was eligible as a commissioner. After sitting for a month, during which it endorsed the petition of Isabel Tresham, it was adjourned by successive prorogations to May 5.

It then presented an extraordinary petition to the King, requiring him to ordain, by authority of Parliament, that certain persons, thirty in number, should be banished from the court, at a distance of not less than twelve miles from the king's residence, under pain of forfeiting lands and goods. The most important persons in this list are the Duke of Somerset, the Duchess dowager of Suffolk, William Booth, Bishop of Lichfield, of whom Gascoigne says that he believes (p. 194) 'that his

memory will be accursed for ever,' describes as 'indignus episcopus Cestriae' (p. 40); and again (p. 52), as 'an illiterate man, of bad character, who had never taken a degree, but had been a common lawyer, thrust into his see by a papal provision obtained from Pope Nicholas V by the King's license, and now Margaret's chancellor,' John Sutton, Lord Dudley, and the abbot of St. Peter's, Gloucester. Most of the rest are officers of the household, and the petition further demands that such persons among them as hold any office at court shall be discharged of it, and receive no wages from Dec. 1.

The King replied by his Chancellor, Stafford, who, if Gascoigne is to be trusted (p. 231), was the most profligate churchman of the day, that he had often declared to his Parliament that it was his intention to have none but virtuous persons about him, and that he is not informed of any cause why he should dispense with the services of the persons named in the petition. But he is willing that, with the exception of the lords and a very few others, the rest should absent themselves from the court for a year, during which time any one who wills may have an opportunity of alleging reasons in favour of a longer banishment from his presence. The King adds, however, that he reserves the right of using all his subjects without exception, in case he takes the field against his rebels and enemies, i.e. reformers of the type of Cade, and the constant enemy in France. Considering the boldness of the petition, which claimed the dismissal, not only of the household, but of the King's cousin and principal adviser, of the widow of Suffolk, who was about the person of the Queen, and of Booth, the Queen's principal minister, the mildness of the answer seems to measure the alarm of the court. Next year, however, to Gascoigne's infinite disgust, this ignorant lawyer and unworthy bishop is promoted to the see of York. It was more provoking and more scandalous than the promotion of Sibthorp and Mainwaring by Charles I.

The Parliament reenacted the Act of Resumption, *totidem verbis*, and attainted Cade, not for the original offence, but for treasons alleged to be committed by him from the 8th to the 11th of July inclusive, in Southwark, Dartford, and Rochester. But not content with branding the memory of the King's rebel, it sought to do the same by the public enemy, Suffolk. The Commons petition the King that as Suffolk made no valid and sufficient answer to the charges brought against him, a

schedule of which is annexed to the petition, and as, had a trial taken place, he would assuredly have been convicted and attainted, an Act of Parliament should be passed in proper form to declare William de la Pole a traitor, that his blood should be pronounced corrupt, his heirs incapable of inheritance from him, and his whole estate be forfeited to the crown, except such as he might hold in trust for others. The petition prays that the same forfeiture should extend to his chattels, save moneys paid by a certain date, and gifts made by the Duke to the University of Oxford. The petition concludes by charging Pole, in addition to his other misdeeds, with having contrived and effected the arrest, imprisonment, and final destruction of the Duke of Gloucester, with having abridged the lives of the royal princes, and with having estranged lords who were near in their relationship from the King. The petition was indeed rejected, but its presentation is a proof of how profound was the dissatisfaction which the Commons entertained towards the administration, and how their anger was no way appeased by the exile and murder of Suffolk.

I have dwelt on these particulars at length for many reasons. In the first place, there is no part of English constitutional history which is more instructive, and that for several reasons, than the six years which intervene between the summons of the London and Leicester Parliament of 1449, and the first protectorate of the Duke of York. The parliamentary tactics of Tresham and Oldhall, of Thorpe and Cherleton, successive Speakers of the House, are on the same lines with those adopted by Eliot and Pym, Hyde and Hampden. The action of the House is a genuine reflex of public opinion; and they who can read between the lines of the Rolls of Parliament can without any violent effort recall the motives, the speech, and the acts of those who vainly but honestly endeavoured to arrest the progress of those impulses which were hurrying the nation into civil war. Unfortunately for the statesman of the fifteenth century, there was no remedy to be found against the two cankers of the time, the total corruption of the church, and the utter lawlessness of the aristocracy. To pull down one bad man, like Suffolk, was merely to make room for another bad man, like Somerset. To ruin and degrade a mischievous and conceited prelate like Pecok, was to make a place for an equally mischievous, more immoral, and infinitely more ignorant person, like Nevil. Pecok indeed

was a man of learning, who might have held his own despite his suspicious theology, if he had not meddled with politics on his own account. Nevil was a youth, who was not old enough to be consecrated, even by the most pliant of popes, to his see (p. 16), and yet he felt himself able in Pecok's humiliation to twit him (p. 213) with his contempt for the holy doctors. I cannot but think that there is not a little sarcasm in Pecok's reply: 'I regret that I wrote so, for I did not look sufficiently to the circumstances.'

Again, the events of these six years, compared with the earlier days of the Long Parliament, and the earlier action of the Convention Parliament, not to go later down, are confirmatory of the fact that for centuries the solution of political difficulties has been manageable by a well-ordered and patriotic Parliament. To my mind, the parliamentary leaders of these six years of the fifteenth century are as real, as noble, and as worthy as any in the long succession of wise statesmen that I have read of, or have known. To reconcile order and freedom, to formulate and maintain all legitimate rights, to interpret the prerogatives of government by its duties, and to judge it by its acts and its motives is, and always will be, the function of parliamentary control. And I venture on saying that there is no single principle of government and finance, no serious issue between the administration and the nation, which was not, if one reads the facts aright, present in the constitution which Fortescue lauded, and Tresham and his fellows guarded. The experience of the fifteenth century statesman was narrow; he had to create his precedents, and to define his procedure, but he was resolved on maintaining the institutions which he had inherited. After the vices of the two most powerful factors in the state, the Church and the nobility, made ruin of those labours which would have given England a genuine Parliament, well fortified by needful privileges, and yet strong in that modest self-respect which assists men more than anything else to wise speech and counsel, after despotism seemed the only refuge from anarchy, and England went back two centuries, the successors of the fifteenth century statesmen cherished their traditions, and in good time revived them for opportune action. The arraignment of Suffolk by Tresham is as interesting a study as the impeachment of Strafford by Pym. There is

only one figure in the scene to which English history affords no parallel, that of the blameless and helpless king.

Again, in order to read between the lines of these invaluable fragments of Gascoigne's 'Liber Veritatum,' and to see how, with naturally clerical leanings, he was alive to the present difficulties and impending sorrows of his own generation, one must know the concentration of English social life in the fifteenth century from its highest and widest manifestations in Parliament. The personality of Gascoigne is that of a well-connected, fairly-opulent English priest, who was stored with the learning of his age, was honoured by his contemporaries, was orthodox in his beliefs, but unsparing in his condemnation of those who did not reach what he believed to be the standard of public and private duty. Had he set his heart on wealth, he would have done better as an honest tailor. He has friends: Robert Thwaites, master of Baliol, and William Grey, of the same College, afterwards Bishop of Ely, are students like himself. His admiration for some of the London and Cambridge clergy is hearty. The pious knight, Sir Thomas Cumberworth, who believed in the holiness of Scrope, and who gave (p. 149) lands and tenements to divers parishes in order to make up the loss which the incumbents suffered, by the greedy monks and their impropriations, is, to Gascoigne, the type of a high-minded and worthy layman. But he has no patience with the worldly bishops, the licentious courtiers, the gluttonous monks, and the corrupt Oxford Congregation. The world of Christendom is saved by the valour of John Hunniades. The Turk is beaten back from the walls of Belgrade; the Papal Court is even obliged to confess that the Hungarian hero was right in forbidding the exportation of the nation's wealth by the pardon-mongers who came there; God himself wrought a special miracle by John Capistrano, the monk who led the Christian host to its unequal combat with Waldewach, but the English prelates, with Bourchier at their head (p. 48), the successor of the slothful Kemp and the licentious Stafford, gave no thanksgiving for the deliverance of Christendom, for the first arrest of the great wave which seemed likely to again engulf the West in a savage barbarism. Oxford, indeed, had the grace to give thanks, to sing solemn chants, to make a general procession, with a *Te Deum Laudamus*, on St. Lucy's morrow (September 20), when an ancient

theologian preached a sermon on that occasion (he modestly conceals his own name), who had held long conversations on the facts with Erasmus Fullar, who had been present at the battle, and had much to say of the Pope, and Alphonso's Catalans, who stabled their horses at St. Paul's outside Rome; of the infamous murder of Thomas de Calva, and of God's judgments on the two cardinals who persecuted him. One can almost see him, feeble in health, but full of zeal, in his upper chamber in Oriel College, which the fellows had gratefully settled on him for life, with his precious folios of school-learning before him—the St. Augustine which had once been Grosteste's, scored with the marks of the great English bishop, doctor, statesman and saint—discoursing with Millington of Clare Hall, Cambridge, or with Eborhal; contrasting the old with the new in church, in state, in fashion, in society, in manners; learning the latest news from distinguished foreigners; reviewing the last utterance of the audacious Pecok, and compiling the vast mass of extracts and notes which his executors, according to his directions, were to copy fairly out into two huge folios. Gascoigne hates heterodoxy, because he thinks it conceit; but what he loves is piety and charity, a holy life, a good example, a clear conscience, and, in the parochial clergy, frequent preaching, open hospitality, and a desire to extend education.

The Church, to a medieval divine, included the relations of the English establishment to the Pope and the Papal Court; the government of the national Church by its bishops and other officials; the life of the parochial clergy, and the influence of the religious orders. On every one of these heads our author has a great deal to say.

The Pope was the representative of the unity of Christendom. Nothing scandalised the Churchman of the fourteenth and fifteenth century more than the schism which followed on the election of Urban the Sixth in 1378, and was continued down to the election of Martin the Fifth in 1417. One attempt was made after this date to renew the schism on the election of the Duke of Savoy by the Council of Basle in 1439, under the name of Felix the Fifth. Since this time the Roman Church has not suffered from internal divisions. But very soon it was found that what the Church gained by the cessation of the schism it lost by the discontent which the conduct of its pontiffs caused. The scandals of the Papal administration, on which Gascoigne comments freely, were

as great in England during the fifteenth, as they were in Germany in the sixteenth century, and had the time been ripe for it, Peter de Monte's sale of indulgences in 1440 was as provocative of secession (pp. 123–5) as that of Tetzel nearly eighty years afterwards. But the grievance felt at the acts of the Papal Court is even worse, because uninterrupted. From John the Twenty-second (James D'Euse), one of the Avignon popes, down to the latest years of Gascoigne's life, the Cardinals and other officials of the Court are little better than a gang of brigands, who pillaged Europe and especially England,—who taxed the clergy with first-fruits, claimed and occupied English benefices, extorted huge sums of money from England, sold bulls, presentations and provisions, poisoned popes who checked their ill doings, and murdered on false charges of heresy honest preachers and genuine reformers. The dawn of Luther's reformation was before Gascoigne's mind, and though he would have abhorred schism sincerely, he would have thankfully welcomed an escape from the mercenary crew which constituted the Roman Court. If my reader will take an example, let him read the story (p. 154) of Prosper Colonna, of Louis of Luxembourg (p. 136), of Calixtus the Third (pp. 12–13), and of the unordained fool who, by licence of Eugenius the Fourth, held a number of benefices, whose story (e. g. p. 195) is frequently repeated.

The divines of the fifteenth century seem to have generally held that, in one particular at least, a General Council was superior to the Pope. It could depose him. It did so by Benedict the Thirteenth, Gregory the Twelfth, and John the Twenty-third (Balthasar Cossa), and the decrees of these Councils were accepted. The Council of Constance even took part in the election of Martin the Fifth. In dealing then with the discipline of the Church, as represented by the highest official, a General Council could set aside an existing pontiff, and so was his superior. But in matters of local discipline, and in matters of doctrine, the question of the relative authority of Pope and Council was more debatable. As every one knows, the Council of Constance condemned the doctrines of Wiklif and of the Hussite reformers. 'But the Pope misleads and is misled,' says Gascoigne (p. 152), 'and his grants are not to be interpreted by the grammatical meaning of the words which they contain.' Over and over again our author insists that his indulgences

and his judicial acts are to be taken according to their intention, and their intention cannot be anything which is morally or doctrinally wrong. A curious illustration of the view which might be taken as to his powers is given in the account of the threat of Martin the Fifth (p. 17) to Chichele and the other English prelates about the year 1430. The Pope was anxious to get the statute against Papal provisions repealed, threatened the English bishops with excommunication for not doing what they were unable to effect, or did not dare to attempt, and actually suspended Chichele from his official legateship. 'Then the bishops openly said that a General Council was superior to the Pope, and thereupon appealed from the Pope to the General Council which was about to be held (of Basle), though very often before they had held different language, saying that the Pope was superior to a General Council, and could dissolve it at his pleasure.'

The authority of the Papacy was very often found to be a convenient instrument of government, which hardly any one would be unwilling to use on an emergency. On the other hand, the abuses of the Papal administration were strongly resented. In the case cited above, nearly all were unanimous in denouncing Papal provisions, that is, grants of benefices by Papal nomination in disregard of private rights or capitular elections. Gascoigne dwells upon several instances in which the scandal was great; for example, on the bribery which seated Andrew in the deanery of York, and the disturbances which accompanied Papal intervention in the churches of Sarum and Wells. But though these provisions were illegal, they were exceedingly frequent. The King often applied for them, though the grant was a breach of the law. By the Great Charter, capitular elections were to be free. But kings wished to provide for their friends, and it was by no means certain that chapters would attend to royal recommendations, while they could be constrained to submission by the threat of excommunication—a threat which was not suffered to lie idle—which, while in operation, deprived the people of religious offices, and the priest of his fees—a very notable part of his income in the middle ages. Besides, there were many ways in which the Roman Court could revenge itself on those who defied its pretensions or its claims. Its prohibited degrees, for example, made a dispensation for marriage constantly necessary, for though its rule was strict, it allowed, for a

consideration, marriages between very near kin. It frequently, for instance, sanctioned a marriage between uncle and niece in the royal house of Portugal. Beyond the doctrine that the action of the Pope must be in accordance with the law of God, I do not find that Gascoigne recognises any control over the Pope in matters of faith and doctrine. Still his opinions on indulgences, and his statement that the Pope is liable to err in matters of fact, is a large qualification.

But, whatever may be his reverence for the Pope's authority, and however large he considers the Pope's powers of government, especially over the monastic orders, he has no respect whatever for the Pope's court and cardinals. 'The Pope' he says (p. 129), 'is frequently constrained by the excessive importunity of kings, lords, and officers, of cardinals and referendaries, to grant much which he does not judge either by Holy Scripture or common reason ought to be granted, and what is not in harmony with the divine judgment.' He gives a very dark picture of their conduct (p. 148) towards their master and the church. 'Romanis innata est cupiditas' (p. 154), says Gascoigne, and goes on to tell how Prosper Colonna rebelled against Eugenius IV, and tried to kill him, and how the brother of this Cardinal had been enriched by his uncle with the goods of the church, how the Pope deposed Colonna, and deprived him of the archdeaconry of Canterbury, which he held in commendam, and how Archbishop Chichele seized the opportunity to put his nephew Thomas Chichele into the vacant benefice. At last Eugenius yielded to the importunity of the Romans and his dread of them, and restored Prosper. But the archdeaconry of Canterbury was gone, and Prosper sued Thomas Chichele in the Roman curia, where it was finally agreed that Prosper should have two English rectories in commendam worth a hundred pounds, and yet this Prosper always went up to the English who might be in the Roman court, saying, 'You English, give me back my benefice.' 'This cardinal was appointed' says Gascoigne, 'by his uncle when he was only eighteen years old. I have heard,' he says (p. 196), 'that lately, in the time of a pope who died a few years ago—he probably means Eugenius—the Pope, worn out by the importunities and entreaties of those who profferred their petitions and expectant favours (i.e. provisions) written out in deeds, has said, "Since you tease and harass me so, let what you want be done in the devil's name," and so a deed was

signed with the Pope's hand, and the grant set under a bull.' He accuses also the cardinals and officials of forging and altering bulls, of which the Pope does not know the contents, or supposes to be wholly different from what they actually are.

'Modern sinners say (p. 123), "I do not care what and how many sins I commit in God's sight, because I can easily and speedily get a plenary remission granted me by the Pope, whose writing and grant I have bought for fourpence, or sixpence, or for a game of tennis;" for they who sell letters of indulgences go up and down the country and give such a letter, now for twopence, now for a good drink of wine or beer, sometimes as a wager at tennis if they lose, sometimes for the hire of a harlot, and sometimes as a personal favour. Peter de Monte, who in the year 1440 collected much money by indulgences issued by Pope Eugenius, as he was leaving England and went on board ship, told Doctor Vincent Clement: "By G— ! Pope Eugenius shall not have a penny out of these bags full of money, unless he sends me a brief promising me the archbishopric of Milan."' The story is repeated further on with a few variations. There were people who went about the country with baskets full of these letters of indulgence, to sell them everywhere to all who might wish to buy, and some said, 'Now Rome comes to our door,' and some did not care what crimes they committed, thinking they could easily get pardon and grace by the Pope's grant, so that Alfonso, King of Aragon, said to Pope Eugenius, 'Now is the Roman church truly a harlot, for she lays herself out to all who ask her with money.' Gascoigne compares Peter de Monte to Simon, who deemed that the gift of God could be purchased with money. The Pope found him useful, for though he was disappointed of the archbishopric of Milan, he was made Bishop of Brescia. There were other people besides Gascoigne who suspected these instruments of pardon. One of the fathers of Basle (p. 121) wrote a treatise on papal indulgences, and declared that for a thousand years after Christ, such instruments as had become usual had never been seen.

But the scandal which affected Gascoigne more than anything else was that which was always before his eyes, the possession of the archdeaconry of Oxford, under papal provision, and through the agency of de Moleyns and Aiscough, by Fulk de Birmingham. This person, who is not named by Gascoigne, though he tells the story more than a dozen

times, generally with some important addition, was a half-witted fellow, who had been the playmate of a great personage (probably the King), who received by license of Eugenius twelve prebends, an archdeaconry worth a hundred pounds yearly, and a rectory or two, (I cannot trace all the preferments in Le Neve, but my readers will see the dates of several in the Chronological Table, for it is not difficult to discover of whom Gascoigne is speaking,) who was utterly ignorant and illiterate, was never ordained, never visited archdeaconry, prebend, or rectory, was daily drunk, and was wholly incapable of managing his affairs. One layman collected all his receipts and kept them, with an annual stipend of £20, three others have £10 apiece yearly, another 100 shillings, while the accumulations were said to have been in the hands of Bishop Aiscough, and to have been lost after the murder of the bishop. 'This drunken fool lives at Oxford, and has lodged for twenty years in a private family at weekly commons or board of sixteenpence, and as much pocket money as his agent pleases to allow him; and I,' says Gascoigne, 'a Doctor and Professor of Holy Writ, heard this Archdeacon say in the year 1440: "I don't care for the clergy. I am better off than your great Doctors, and my belief is as good as theirs. I believe there are three Gods in one Person, and I believe what God believes." I heard him, I Chancellor of Oxford, utter these absurdities in my presence. God knows that I lie not.' And the good Chancellor and laborious preacher not unnaturally contrasts his unrewarded labours with the fortunes of this profane and illiterate idiot.

Scandals such as Birmingham's pluralities were the outcome of a general decline in the character of the English hierarchy. Birmingham was a layman in possession of many benefices. Gascoigne mentions another, a physician, married (p.43). and in possession of two deaneries, two prebends, and a great rectory, who was seldom resident in one of these five benefices, and never in the others, and therefore one of those dumb dogs of whom the prophet Isaiah speaks. This person is most probably Dr. Keymer, Dean of Salisbury, and physician to Duke Humphrey and the King, some not over decent extracts from whose treatise 'De Sanitatis Custodia' were printed by Hearne from a MS. in the possession of Sir Hans Sloane. But it does not appear that by the law of the Church ordination was essential to the tenure of a dignity in the Church, or even

to a benefice with cure of souls, provided the unordained incumbent did not undertake functions which none but a priest could fulfil. So, from the Reformation to the Restoration and the Act of Uniformity, the canonries in cathedrals, and even parochial churches, were occupied by persons who had not received ordination of any kind, or at least had not received ordination at the hands of an Anglican bishop. Keymer, Dean of Salisbury (p. 42), was one of those who, with the Bishop Beauchamp, the successor of Aiscough, declared that the orthodox preachers were the promoters of sedition and insurrection against the ecclesiastics in 1450.

The bishops owed their elevation to court intrigues, to simony, and to bribes at the Papal court, the weakness of the government allowing the laws to be broken with impunity. They were ignorant and illiterate, *minus habentes*, as Gascoigne says, bent on accumulating wealth, which they spent in luxury, and on corrupting their own clergy whom they had provided with benefices, and for whom they obtained from the Pope licenses of non-residence. They welcomed (p. 41) the new doctrine of Pecok, that bishops, as bishops, were not bound to preach. His brethren said, 'That excellent clerk and bishop will defend the practices of us bishops.' But the public judged very differently. Nearly everyone was heard crying out, 'Down with the bishops who grow rich, who wish to be called lords, to be served on bended knee, who ride about with so many and such fine horses, and will do nothing by way of preaching to save men's souls, for the bishops either do not know how to preach, or omit the duty because they cannot preach unless to preach up those ill practices of which the bishops themselves are guilty, and do not preach good works which the bishops do not do, but omit, and deride, and despise such as do them.' 'This,' says my author, 'was common talk about the bishops among clergy and laity, and day after day there was more and more stir among the people, and they slew the bishop of Chichester, Adam Moleyns, and the Bishop of Sarum, William Aiscough, and persecuted the Bishop of Chester (i.e. Lichfield) one Booth, and the Bishop of Norwich, Walter Lyhart, and many rectors and vicars in Kent, and spoiled them at Sarum and Hungerford.' Certainly if there were many such bishops as that described in p. 167, the discontent was natural. But (p. 119) he tells a more shocking story of the shamelessness of one bishop, and the promise he made to a great sinner.

Their acts were criticised by the preachers and the public (p. 44). Dr. William Millington, of Clare Hall, Cambridge, a Yorkshire man with whom Gascoigne has many sympathies, spoke openly in his sermon at Paul's Cross, immediately after Pecok's famous apology for the non-preaching prelates. 'On pain of my head, I pledge myself that this realm of England will never prosper until they who approve the sentiments of Bishop Reginald are soundly chastised.' This was the opinion of many. Laymen and nobles said of that Bishop Pecok, 'Heigh-ho! we are bound by the Lord's command to teach our families, and that bishop says that bishops are not bound to teach their dioceses.' They were rarely present there. Stafford, De Moleyns, Lyhart, Lumley, Aiscough, and Booth held offices at court, four of them secular functions, all requiring constant absence from their people. Kemp, too, the Archbishop of York, was constantly at court or at his country house in Kent.

A custom began, says Gascoigne (pp. 132, 168), in the days of Martin V (evil times in Gascoigne's mind) and of Eugenius IV, of getting licenses for non-residence on behalf of their chaplains up to a certain number. One bishop nominated as his chaplain one who was both rector and vicar. But on his admission to this office, he neither resided in the bishop's house, nor at his own cure, but gave himself up for years to hunting and carnal delights, saying that he had the license of the Pope for these practices. Many others, in the same manner, betook themselves to hawking and hunting. Others, without getting a license to hold pluralities, get benefices for others, and before they present, make the presentee sign a legal bond to the effect that he will pay twenty marks or more yearly to the patron or the agent. This practice, says Gascoigne, was detected by Philip Morgan, Bishop of Ely (1426–1435), who compelled all whom he admitted to benefices to take oath that they had not entered and would not enter into such bonds, and that they had not given security that they would not sue the monks to whom a vicarage had been appropriated for the full value of the benefice.

Against these ignorant, corrupt, and shameless traffickers in the endowments of the church, it was reasonable that the law should accord to lay patrons the protection of those writs, which have been issued since the Constitutions of Clarendon. 'Alas,' says Gascoigne (p. 33), 'how unlucky are the times in which we live, when the prelates give themselves

up to delights, and lords have bishoprics and great offices in the church conferred on them before they are vacant, and they give their duties to others and take no share in them' (he is probably thinking of George Nevil's appointment when under age to the bishopric of Exeter, and the license which the Pope gave him to enjoy the temporalities of the see (p. 16) on the condition that his consecration was postponed till he was 27 years old), 'while all discipline over individuals is destroyed by inhibitions and appeals to the Court of Arches in London.' Patrons indeed must be protected against intrigue, but the defence of their rights is the destruction of church discipline. He gives an illustration (p. 32) of the manner in which this injury was effected.

Richard Praty, bishop of Chichester, 1430–45, the immediate predecessor of De Moleyns, was a member of Oriel College, and therefore probably an acquaintance of Gascoigne. He had excommunicated and deprived a certain vicar of infamous reputation and naughty life. The vicar, after worrying the bishop a long time in the Court of Arches, demanded that the bishop, under severe penalties, should absolve him from the sentence of excommunication which had been pronounced, on the ground that Pope Eugenius had granted any competent priest the power of absolving all who belonged to the brotherhood of the house of St. Anthony in London. But the bishop declined to revoke his sentence, deprived the vicar of his benefice, and notwithstanding the entreaties of the Earl of Arundel and others, refused to restore him, but thrust him from his diocese like a scabbed sheep. 'This letter,' said the bishop, 'which you say has been granted by the Pope, cuts away all power bestowed by the Lord on bishops, because it follows from this grant, that every culprit must be absolved by the bishop, will he, or will he not, or the bishop must risk offending the Pope, and thus any bishop will absolve the most profligate wretch on the mere shewing of a papal bull, or whatever other means are employed for your absolution before God. Besides,' he continued, 'it does not follow that I ought to absolve you, because you show the bull of a Pope who can err and be misled. I know that in the Roman court, when the Pope has agreed to issue a bull in response to the prayer of a petition, the Pope's attendants, and chamberlains, and courtiers, drunk with the venom of covetousness, draw up the bulls, enlarging or shortening the clauses, putting in what the Pope never knew

nor granted, nor could grant acceptably in the sight of God, and so,' said the bishop, 'I will not act according to your bull, for I believe that the Pope never gave it in words, and I know that he cannot grant it in fact, for the power given him by Christ is that he should bind what man may rightly bind, and bind and loose without man's consent any human act, but only as it accords with the increase of God's worship and the true safety of souls. No man of sane mind could accept your contention, that any one who has a papal license to the effect, shall be absolved by any competent priest.'

But the most striking illustration of the bishop in Gascoigne's age is to be found in a story which he tells of De la Bere, Bishop of St. David's (p. 35). This man had been Henry's almoner, had been made Dean of Wells by papal provision (p. 200), and had caused infinite scandal by the appointment. To put an end to the scandal, the same agency of a papal provision was brought into operation, and De la Bere was made Bishop of St. David's. 'About the years 1452 and 1453, the rectors, vicars, and priests of Wales, who had concubines with them in their houses, said to their Bishop of St. David's, "O lord bishop, we, the priests of your diocese, drawn by the fear of God and the dread of eternal punishment to come on sinners, beseech your fatherhood, that by your pontifical authority you cause or compel our concubines to go away, and be perpetually separated from us and our homes, for we beg and pray that they may be so separated from us and our homes by your authority, that we may never have opportunity of sinning with them, and these concubines may never have an opportunity of sinning by cohabiting with us." And that bishop of detestable memory' (he outlived Gascoigne) 'answered them, "I will not grant that your concubines be separated from you or your homes, or be compelled to leave them, for in that case, I your bishop should yearly lose 400 marks, which I receive yearly in my diocese for the priests' concubines, for I get yearly a noble or more from each of many priests for his concubine, and the sum which comes to my purse makes annually 400 marks, and I will not have them separated from you." And the priests said to that Bishop of Saint David's in Wales, "O lord bishop, we wish to have them separated from us, and these concubines will not be separated from us and our homes, but wish to stay in our homes, and

live on our goods, will we or not, and therefore because we do not dare to drive them out, through fear of their friends, who encourage them in living in our homes, we therefore pray, lord bishop, that they be separated from us and our homes by your means." And the bishop told them, "I will not compel them to leave you, for then I, your bishop, should lose much money yearly." Now that Bishop De la Bere was the man who was thrust upon the church of Wells, by provision of Nicholas V against the will of the chapter, but he was not installed because he feared a violent death there, and afterwards he was scandalously sent by provision to the bishopric of St. David's, because the king of England, Henry VI, who afterwards went out of his mind, gave him a license to accept a papal provision for both dignities.'

The story which Gascoigne tells is perhaps a little coloured, at least as regards the unanimous and persistent appeal of the clergy. It points of course to the existence of a married clergy in South Wales, and to the fact that the marriage of priests was very common in the principality. This, I believe, is well known. It is probable that there might have been some ascetic movement in De la Bere's diocese which brought about a numerous deputation to the bishop, and that many among the clergy may have wished, on religious grounds, to reform their practices; some, as their prayer seems to hint, from avarice, and from a desire to repudiate their bargain. The mention of the fear felt for the friends of the women clearly implies that the connexion was recognized. But I see no reason to doubt that the recorded answer of the bishop is substantially accurate.

There was, however, another grievance in the policy of the English bishops, of which Gascoigne often complains. The hierarchy, as is well known, was bitterly attacked by the poor priests of Wiklif's movement, and by their successors the Lollard Gospellers. It was thought, and with reason, that the insurgents under Tyler and Littlestreet were stimulated to their insurrection by the Wikliffite preachers; and in particular, it is certain that Oxford was a stronghold of the party which favoured Church reform. Henry IV, anxious to conciliate all parties, inserted in the Roll of Parliament of his second year (the Parliament sat from Jan. 20 to March 10, 1401) a statute giving the effect of law to a 'provincial constitution' (p. 34), carried previously by

Arundel and his bishops, and agreed to by the Convocation of Canterbury, by which preaching without the license of the diocesan was inhibited. The motive is stated in the preamble of the Act to be 'that the heretics make unlawful conventicles and confederacies, hold and exercise schools, make and write books.' The Act did not, I imagine, trench on the privileges of either University, for the grant of a degree in Divinity has from time immemorial licensed the recipient to lecture on the Epistles in the case of a bachelor, and on the whole of Scripture in the case of a Doctor, and till recently, did not require priest's ordination for the inferior degree in Divinity.

Gascoigne tells us that Arundel (who had been banished by Richard for participation in the reforms projected by the lords appellants, and was doubtlessly much more of a politician than of a divine), was only a bachelor of arts in Oxford, that is, had merely obtained the slightest rudiments of an academical education. He had studied at Oriel, and Gascoigne would have heard about him as a member of the same college. He was not likely to know or discover what would be the consequence of his enactment. The heretical preachers were not silenced, and the orthodox were. One of these Wikliffite preachers, William White, was very busy in disseminating the gospeller's creed. He had been a priest, had cast away his orders, had married a wife, and went about the country on his mission, chiefly in eastern England. For a long time he escaped, and seemed to bear a charmed life, for probably the Norfolk weavers sympathised with him, harboured and hid him. At last he was caught in Norwich, tried by the bishop, condemned, handed over to the secular arm, under the statute *de heretico comburendo*, and burnt in the courtyard before the cathedral close. When I happened to be at Norwich, just after the recess of 1880, I inspected the Corporation accounts, and found under the year 1427 what it cost the Corporation to burn William White, and two other heretics, William Whaddon and Hugh Pye. They were not the only victims of the year.

The grant of the license to preach was abused. The bishops issued very few licenses, exacted large sums of money for their letters and their seals, and made the license revocable at pleasure. 'The bishops do not preach, and will not suffer others to do so, except at the entreaty of great lords. It may be proper that the unworthy should

be excluded from the office of the preacher, but why should all be suspended, and be exposed to the extortions or the caprices of the diocesan? Man should not impose silence on all doctors and bishops because several of both kinds are heretics. But,' adds my author, 'the judgment of God came on the archbishop. His throat was choked so that he could neither swallow nor cough; and thus he, who by his own tongue had stopped the word of God, had his tongue stopped when he was anxious above all things to speak. The silencing of the preachers was a matter to murmur at, having been done in order to suspend a few heretics, but the bishops did not or could not preach themselves, and were angry (p. 35) when men said "Such and such a doctor preaches well, though no bishop, but our bishop neither can nor will preach, and so one who is no bishop does more good than a bishop does."'

The corruption and pride of the fifteenth-century bishops is illustrated by two stories given in pp. 22–23; their extortion appears everywhere, but is put in the most flagrant view in p. 123, where an archbishop (undoubtedly Kemp, of York,) bids the curates of his diocese exact fees from all penitents who come for absolution, in order that the works of the cathedral of York may be finished.

The two stories are so characteristic that I am tempted to translate them. 'Henry IV, King of England, asked Henry Bowet, Archbishop of York, "What can be the reason why bishops in our time are not 'translated' (i. e. their bodies solemnly removed from their graves, with a view to canonization), on account of famous miracles of theirs, as was once the case?" The bishop was silent, and a clerk standing by said, "If you will, sir, that I should speak, I will mention what seem to me to be the four causes of the fact." The king gladly gave him leave. "One cause," said the clerk, "was, that once God showed by some special sign who was worthier than other men by reason of his wisdom and holy life to be made bishop, and thereupon God made miracles on behalf of persons thus elected in their life and after their death. But now such persons are chosen by earthly persons and by you kings to be bishops as pleases you, and just the same miracles which you kings do, the bishops nominated by you do also. Again, kings used to bow the knee, begging holy and learned men to undertake episcopal duties, because these duties

require more perfect works than any private rule does, and thus any professed monk could be elected to a bishopric, and the people, who were thus entreated, accepted episcopal duties for the salvation of souls reluctantly, and thereupon were translated after death by reason of their miracles. Again, holy bishops of old, reflecting on the episcopal duties put on them, did not wish to be translated from bishopric to bishopric for the sake of larger revenues, but now they are translated from bishopric to bishopric in their lives, and so do not deserve to be translated by the evidence of miracles after their death. Again, in these days, men buy their translations and their bishoprics so dearly in their lives, that they are not worth translating after their deaths, nor that God should do miraculous works by their merits." And the clerk said to the king, "You, sir, know one man who gave two thousand marks to a great lord to get translated from his bishopric to an archbishopric." The king was pleased with the answer of that clerk.'

'Bishops used, as one can see in the life of St. Cuthbert, to talk humbly and familiarly with their subjects, and every day to give any one of their subjects an audience, if he wished to converse with his bishop. Lately a poor man came to the servant of an archbishop, the son of a great lord (Gascoigne must mean Stafford), and said, "I wonder that the archbishop does not give audience in his own person to his subjects as his predecessor did." The servant of the archbishop answered, "My lord, the present archbishop, was not bred in the same way that his predecessor was bred," meaning by this that his lord archbishop, who was so strange and distant to his subjects, was the son of a lord, and his predecessor, who had been archbishop before him, was the son of a common man (Chichele's father was said to have been a tailor). The poor man answered the archbishop's servant, "The present archbishop and his predecessor were certainly of very different breeding, but it is clear for all that, that his predecessor was the better man, and more useful to his subjects and their souls and the whole diocese."' The ideal bishop, to Gascoigne's mind, was Grosteste—learned, pious, firm, wise. But the great Bishop of Lincoln, as my author knew, was of very humble origin. The friars minor of Oxford, whom in the early days of their activity and saintliness, as it was thought, Grosteste protected and assisted, (a century or more later Wiklif thought very differently of

them), kept the good bishop's rushen sandals (p. 141) in their convent library, not in that of the students.

To go a little beyond the bounds of Gascoigne's life, no one who studies the history of the fifteenth century, especially that period between 1449–1461, from which so many important constitutional principles can be, as they have been, derived, can fail of being struck with the singular facility with which the prelates of the age accommodated themselves to the times, without exception. Mr. Anything, or Mr. Facing-both-ways, in Bunyan's allegory, were prentices to them. Every English revolution, except that of the Royal Succession, has had its episcopal partisans. Most of the English hierarchy were sacrificed at the Conquest. William the Second, Henry, Stephen, had their friends and foes on the episcopal bench. Henry the Second was in the same position. John had to face a true patriot in Stephen Langton, whom the Pope put on him, a man whose career and conduct must have surprised the Pope as much as it daunted John. Henry the Third had his allies among the prelates, and so had Simon de Montfort. Edward had a struggle with them and quelled them. His miserable, foolish, disreputable son had a foe in Orleton and a friend in Stapledon. Merks, if we can trust the story, strove to maintain the rights of Richard the Second, even when his cause was quite hopeless, as Arundel aided Henry. But no man among the bishops of Henry's time, even those who owed everything to him—men like Lyhart and Wainfleet, Chedworth, Carpenter, Booth, Low—appears to have helped him by word or deed. Bourchier had been made archbishop during Henry's insanity; Nevil during the first captivity of Henry, i. e. after St. Alban's. But Bourchier served every change with uniform pliancy. He crowned Edward the Fourth in 1461. He had no scruple in welcoming the restoration of Henry in 1471. He congratulated the conqueror of Barnet and Tewkesbury. He acknowledged the title of Edward the Fifth, accepted the usurper's claims with alacrity, and wheedled Elizabeth Woodvile out of her other boy, who was with her in sanctuary. The last public act of his long and contemptible career—for he was primate for thirty-three years—was to crown the founder of the house of Tudor. Among the odious prelates of the fifteenth century this selfish, sordid, heartless, time-serving churchman is the least respectable. Gascoigne formed

a fair judgment of him, even though he condemned and degraded the hateful Pecok.

The last conclusion which the Council of Constance condemned in Wiklif's doctrines is very sweeping and very startling. 'Omnes religiones indifferenter derivantur de Diabolo.' By this generality Wiklif meant the monks, in whom he discovered much evil and no good. They were the Pope's army of occupation in England, and Wiklif hated them as an Englishman of the fourteenth century hated the Avignon popes, and as a Reformer of the sixteenth who had come to the conclusion that the Pope was Antichrist would hate the Pope's police. Gascoigne is loyal to the Pope, though he has great misgivings, but he loves the monks little more than Wiklif did. The fifteenth century was not friendly to the religious orders. Henry the Fifth, a very devout prince, did what his great-grandfather, with an equally good reason for it, did not venture on doing, for he suppressed the alien priories. The example was followed. Alcock suppressed a nunnery at Cambridge for the purpose of founding a college there, and Waynflete contrived to do the same by Selborne, at least. The wealthy prior of Selborne was certainly—I have read his household accounts—a very luxurious and probably a very scandalous person, who surrendered on the understanding that a round annuity should be paid him in consideration of his vested interests. But I do not remember to have read of the foundation of more than one new monastery in the fifteenth century. This was the splendid and wealthy house of Sion, which Henry the Sixth endowed with part of that which remained to him of the alien priories, the residue being devoted to Eton and King's (or St. Nicholas') College, Cambridge. The occasion of the foundation of Sion was the cultus of a new and a royal saint, St. Bridget of Sweden, in whose holiness, revelations, and miracles Gascoigne is a firm believer, e.g. pp. 140, 156, 165, 169.

Wealthy men in the fifteenth century founded schools, colleges, and chantries, established collegiate churches, of which Gascoigne highly approves, provided the clergy in them keep residence, and built magnificent churches. The architecture of the age has lost all grace, has none of that poetry in stone which an older and more imaginative generation possessed in fulness, but, according to the character of the society which produced it, is massive and business-like. But no one cared to found

new monasteries. There were plenty of them in existence. Land was very valuable, and the law very jealous of monasteries acquiring land. There was, however, one way in which an active and ambitious man could better his fortunes, or an ailing sinner could secure his forgiveness. This was by robbing the parochial clergy. The lessee for a very long term on a very beneficial holding of abbey lands, could make a good bargain with the abbey; and a frightened offender could satisfy himself that he would get the perpetual prayers of the monks, the value of which was not as yet disputed, if either of them could assist the monks in turning rectories into vicarages—that is, in securing the principal tithes to the monastery, and arranging that the monks should provide the services of some vicar who would undertake the cure of souls and the offices of the church for a very much smaller stipend than the income of the rectory. The vicar need not preach; the bishops thought this unimportant or dangerous; there was very little to do, and many people were eager to take the priest's office in those days, that they might eat a piece of bread, especially when the war with France was no longer a profitable calling.

The appropriation of benefices to monasteries, colleges, capitular dignities and collegiate churches began very early. The reasoning which led to the practice was very natural. The monks of the older orders were industrious and learned. They reclaimed wastes, improved agriculture, and wrote books. Had it not been for the monasteries, every trace of ancient learning would in all probability have vanished. Had it not been for the monasteries, it is difficult to conceive how civilisation could have revived after the aristocracy and caesarism of Rome had ruined ancient culture; for the barbarians, in destroying the remains of it, imitated and perpetuated the hateful institutions which had wasted the whole world. We should not even have known the history of our own people if it had not been for the monks, for the chronicles of the abbeys are the principal materials for the annals of England. In the days of violence the abbeys were nearly the only refuge; in the days of ignorance they were the only schools. Many a thriving English town owes its existence to the fostering care of the monks. The two English Universities seem to have grown up obscurely under the shadow of ancient monasteries. It was obvious that these establishments should be endowed with the most permanent source of revenue, a tax on agri-

culture in the form of a tithe. Tithes, it is said, were originally granted for the bishop, the clergy, and the poor. The monks could claim their share in this wealth, as coming under the last two heads, and since they frequently obtained an exemption from episcopal control, might even represent the claims of the third. Nor would the parishioners of the impropriated rectory be wronged, for the monastery would supply the services of the parish from the monks. Besides, the efficacy of monastic prayers was far greater than that of the secular clergyman. The offices of the monks were cumulative, that of the parson was single: it was the utterance of men who, being under strict vows, were the peculiar favourites of heaven. But the parish priest was under looser obligations, and therefore his offering was less acceptable. So fully was this feeling entertained, that the monks were entrusted with the election of bishops of many sees, and a monk, as we see in the rejoinder of the clerk to Henry the Fourth, was deemed peculiarly fit for the episcopal office.

A reaction against the prevailing sentiment set in during the latter part of the thirteenth century. The old monasteries were still wealthy and respectable, but they were insufficient for the public wants. The pious benefactor began to found colleges and schools. All these benefactors copied that part of the statutes of Merton, the founder of the first Oxford College, which peremptorily excluded monks from the College. Merton was soon imitated at Cambridge. In the second epoch of College founding, the second element in Merton's statutes was recognised, that of a school preparatory to, and dependent on, the College—an institution which was provided by Merton, but long ago suppressed by Merton's fellows. The resources of these colleges were largely composed of impropriations. Merton had large estates, but also the great tithes of several parishes, for the severance of which from the benefices the consent of Bishop and Pope was necessary. Balliol, Exeter, and Oriel had, in the first instance, very little besides the tithes and dues of impropriate rectories. Magdalene, in Oxford, was largely endowed from this source, for the monasteries whose suppression supplied Waynflete with much of his revenues had been themselves endowed in this way. When, after the Reformation, this part of the monastic revenues fell into the King's hands, and the Crown became the largest owner of impropriate tithe in the kingdom, Christ Church in Oxford, and Trinity

in Cambridge, depended mainly for their revenues on tithes now entirely secularised.

Every one has read of the ingenuity with which the monks sought to evade the various statutes of mortmain. It is said that English law owes many of its technicalities and fictions to the devices of the monks, who were always inventive and always baffled. It is clear from Gascoigne that they had very much their own way with impropriations. If a landowner wished to improve his estate by an addition, the readiest way was to exchange with the monastery for the great tithes of a benefice which was in his patronage. If a benefactor wished to found a collegiate church, or endow a cathedral with a number of new prebends, the great tithes of parishes were the most obvious source, one which got him the prayers of those whom he had endowed, at little or no expense to himself. If the building funds of a cathedral fell short, if the offerings of the faithful, and collections like those made for York (p. 1) were insufficient, the tithes of a rectory could be made into a fund. If men believed still in the superior efficacy of monastic prayers, the monks would rather accept tithes than land. The settlement of the former was easy, that of the latter perilous, for the heir of the grantor, or failing him, the crown, was too much interested under the mortmain laws to allow their rights in land to be set aside on account of the grantor's soul.

To judge from the frequent and bitter complaints of Gascoigne, this impropriation must have gone on very extensively in his days. He quotes many cases, and dwells indignantly on the practice. A secular priest himself, he believed sincerely in the parochial system, and in the benefit bestowed on a parish by the residence of a conscientious, opulent, hospitable, and benevolent rector. Under the significant heading of '*Furtum*' (pp. 106–115), he writes at length on the evil which he saw done by impropriations. 'I knew,' he says (p. 112), 'a rector, who, from the income of a single church which he held, maintained at school and the University twenty youths whom he educated for the priesthood. You tell me,' he observes (p. 113), 'that these impropriators pray for the parishioners of these impoverished churches, and this, they say, does more good to them than the prayers of one rector. But pray look at the reason of things. It is better for me that you do good to me, than do good on my behalf; just as it is better for me, if I be hungry, that you give me food, than that you

give it to another on my behalf or for love of me.' And he applies to those monks the saying of Christ, 'All that came before me are thieves and robbers.' The waste too is serious. 'I have known churches which before appropriation were worth a hundred pounds, but after appropriation and non-residence have sunk to half that sum. Besides, there is no end of it. Directly the monks get one church they work for another, pretending poverty, and *sic abyssus abyssum invocat*.' 'What it really means, he adds, 'is more servants, more idlers, more luxuries, more dishes.' In p. 143 he draws a picture of the luxurious monk, who abuses the opulence which piety has bestowed on his fraternity; in p. 197 he accuses them of trading on an extensive scale, and over and over again suggests that the Pope should deprive them of their ill-gotten wealth and bestow it to better uses. 'The curates of the parishes have scarcely the means of life. Nay, not satisfied with the tithes, the monks try to get the fees for religious offices. It is known that many infants die without baptism, because parish churches have no fonts, abbeys having by license usurped the right of forcing the inhabitants of certain parishes to bring their children to the abbey church to be baptised, and yet they cannot come conveniently by night, or at other times, to the abbey font.'

But he is as much offended at the gross neglect of admitted duty in these institutions. The monks used to keep chronicles; the custom has become obsolete: they used to copy manuscripts; they have ceased to do so: no work and more dishes is their prayer and, as far as possible, their practice. 'I wish (p. 73) that royal and noble founders, moved by good confessors, would enjoin the abbots of monasteries and convents to maintain a certain number of scribes to copy the works of holy doctors, and of men great in knowledge, under strict penalties inflicted by king or founder; and that the founders of monasteries should withdraw their benefactions and pensions from them until they bound themselves under the common seal of the monastery to the founder, that they would maintain a fixed number of such scribes for ever.' University reformers might take a hint from this stringent rule on behalf of 'research' which Gascoigne commends. 'It is known (p. 167) that good men who have bound wardens, deans, and other priests to remain and reside in the places which they have founded, are cheated, and their purpose is not kept, because the beneficiaries reside elsewhere. The remedy for such

mischief is, that founders and their successors should strictly enjoin, under heavy penalties, that if any of their foundationers takes any license against the will and statutes of the founder, he shall be *ipso facto* deprived of all right to any benefit accruing to the foundationers, and it shall even be ordained by the founder or by parliament, that the heir or successor of the founder shall expel the culprit who will not obey the founder's statute, that he shall have no power of appeal, and that any appeal he may make shall be a nullity.'

With such bishops and such monks, with dignities openly sold at Rome and scandalously misapplied in England, it was not likely that the parochial clergy would be of a very high order. The proceedings commented on above had impoverished them, the fears and the jealousy of the bishops had silenced them, and the Lollards derided these mass-priests and dumb dogs. Gascoigne dwells more on the loss of good pastors than on the vices of bad ones, on the fact that a few were found whose energy and zeal, whose courage and faithfulness were conspicuous, rather than on the shortcomings of the order to which he belonged; whose restitution to its true place he honestly believed would be the salvation of the country, as in their absence it was hurrying to destruction. But he does tell a few stories about dissolute clergymen, and hints that there are many such. I have thought it necessary to quote some very plain speaking in the extracts which I have made, but I have been constrained to omit some of the particulars which my author's indignation induced him to record.

The most remarkable and the lengthiest production in the 'Liber Veritatum' is the dissertation or sermon on the seven streams of Babylon, pp. 53–99. This is probably a *concio ad clerum*, a discourse addressed to the University, and is very instructive, not only as a specimen of an elaborate fifteenth-century sermon, but as a statement of the condition of the Church at the time in which it was composed. The seven streams are: 1. The unworthy and scandalous ordination and institution of bishops, rectors, and officials, which is called promotion. 2. The absence of a good rector from a people whom he should govern. 3. Pluralities. 4. The appropriation or annexing of churches and tithes to those who have not the immediate cure of the parishioners. 5. The abuse of absolution by priests. 6. The abuse of indulgences. 7. The abuse of

dispensations and licenses. It will be seen that these heads include nearly all the ground which they covered, who wished to reform the church without altering or tampering with its doctrine, as for instance the authors of the 'Centum gravamina.' It is not too much to say that there is the full dawn of the Reformation in Gascoigne's criticisms on his own times.

Gascoigne says but little about the heretics of his own age, the obscure Lollard preachers or gospellers, whose calling was so dangerous. The Wikliffites, he says, abused the miracles of the saints, because they do none themselves, just as Mahomet did in his day, but even here he speaks in the past tense. In p. 117, under the head *Haereticus*, he gives the principal characteristics of heresy, the chief of which is the preference of human reason to revelation. He makes the time-honoured charge against heretics, that their morals are licentious, but allows that they are of acute perception and active genius. No one, he says, can be the author of a heresy unless he be a man of active genius, though he adds that they are apt to take their place among the *spineta* of Aristotle and Chrysippus, whose dicta they allow for gospel.

But he has a good deal to say about Wiklif, the Bohemian schism of Huss, Jerome of Prague, the Bohemian students at Oxford, and particularly about Peter Payne, or Clerk, who went off to Bohemia with Wiklif's books, and persuaded the Bohemians that every one in Oxford was like-minded with the heresiarch, except certain friars, fortifying this statement by a document signed with the University seal, which seal he had purloined for the purpose. He says (p. 116) in his account of Wiklif that the University of Oxford, in 1410, condemned more than two hundred of his conclusions and burnt his books at Carfax, in the presence of the chancellor, Thomas de Prestbury, abbot of Shrewsbury. He also gives some account of the proceedings of the Council of Constance against Huss and Jerome of Prague, which he got from a conversation with Spofforth, bishop of Hereford (p. 10), who was present at the execution, and after resigning his bishopric retired to St. Mary's Abbey in York. The cause, he tells us, of the Bohemian schism was the intolerable scand-
which was given by the corruptions of the Bohemian church, the pre
and dignitaries of which were discreditable and notorious, and he sta
that the University of Prague gave the Pope fair warning that if a sharp

and speedy reformation of abuses in the Bohemian church were not effected, all the consequences which actually ensued would rapidly come to pass.

Gascoigne almost always styles himself *Cancellarius studii Universitatis*, or *Cancellarius Oxoniae*, and sometimes *Cancellarius natus*, even when he is narrating the events of years during which the records of the University give other Chancellors. It seems that he uses the term *natus* of himself in relation to this office, as it is used in relation to the Archbishop of Canterbury, who he says is *legatus natus papae*, *non legatus missus*, and that at some time the University had conferred upon him this exceptional title. Gascoigne's long residence in Oxford, his independent position and resources, his high character and conscientiousness, his zeal in the discharge of his clerical and academical duties, his great liberality, and his reputation in the learning of his time, might well, even in that age of the University, when it had greatly declined from its original credit, only to sink lower and lower century after century, have induced his contemporaries to bestow some special honour on him.

A century before Gascoigne's time, he tells us that there were thirty thousand students in Oxford, and that (p. 202) he counted them from the Rolls of the old Chancellors, when he was himself Chancellor. They came from all parts of Europe. Alexander V graduated at Oxford, and then proceeded at Paris. Students came from Bohemia, sat at the feet of Wiklif, and carried his books back to their native country. The number seems incredible, but Oxfordshire was, to judge from its rating for exceptional taxation, after Norfolk, then at the best of its industries, the wealthiest county in England by a considerable proportion, and the circuit of its walls by no means included all its inhabitants, for there was a large population on the north side of the town, and even in some of the villages near it. This concourse of students was diverted by the great plague, the ravages of which were the more serious because our forefathers were closely packed together, and were utterly indifferent to sanitary conditions. Even after the plague, the first quadrangle of New College, minus one of the stories, was supposed to give ample room for a warden, seventy fellows and scholars, ten chaplains, a number of clerks and choristers, and servants too. The site of New College had been once a densely peopled part of Oxford, but now, owing to the plague, was

ruinous, deserted, and a hiding-place for thieves and other bad characters. I see no reason to doubt the statement about the exceeding populousness of Oxford in the first half of the fourteenth century. The University had great privileges and a great reputation, and Oxford was a secure retreat against violence, for it was almost the strongest fortress in England, probably even stronger than London.

The University annually elected two officers, who represented them in the conduct of academical business, and a Chancellor who presided over the deliberations of the University parliament, kept order, and conferred degrees. It appears that on a sufficient representation made to the Proctors by Masters of the University, the two Proctors, that is the officials who acted on behalf of the general body of superior graduates, were bound to bring forward in the form of a statute the proposals made to them. The Masters and Doctors also elected the Bedels, who were at once the body-guard of the Chancellor, and were invested with important functions in the University. A smaller body, known early as the Congregation of the University and consisting of the younger Masters, gave graces for degrees. The fact that this important function was conferred on the junior members of the University is explained or justified on the ground that those who were nearest to their own exercises were the most competent persons to judge of the qualification of others. The election of the Proctors often ended in riot and bloodshed, and the graduates of the University were not only exceedingly tenacious of their privileges, but warmly resented any interference from bishop, abbot, or other spiritual authority, had a perpetual feud with the monks, and occasionally provoked some serious quarrels with the townsfolk.

Degrees were conferred in consideration of the success with which the candidate defended or impugned some thesis. The process was a kind of logical duel, in which one of the parties affirmed, the other denied a position. There was no limit to the subject of debate. Admitted principles of mental science, fundamental rules of moral conduct and duty, the highest verities in religion and church government, were open in these formal disputes to attack and defence. The reader will see one of these on p. 182. It is possible that the sceptical faculty which this kind of exercise developed may account for the innovation which Bishop Fleming (p. 185) introduced in 1420 into the Oxford

schools. Fleming had been a Wikliffite and was now a persecutor, and was even founding a novelty in Oxford, a college of priests, whose business it was to be to defend the Church, its institutions and its doctrines, against innovators, a college whose destiny it was to be the means of educating the Wesleys. There is nothing in the irony of history which strikes one more, than the fact that a college which was called into existence to defend the old ways, should have developed, as time went on, the most successful attack on Anglicanism, whether it be that of the fifteenth or the seventeenth century.

Gascoigne tells us little about the colleges. He alludes to Balliol, but only in connexion with his two friends, Thwaites and Grey; to New College, but only because the Warden happened to be Chancellor when Pecok's books were burnt at Carfax; to the libraries of Exeter and Durham Colleges, the latter of which fell with the monastery whose novices it was founded to educate. He refers (p. 96) to a sermon of one Holcot, who may have been the Warden of Merton, and lived in Oxford during Gascoigne's residence, which is quoted to show that a man may get a dispensation, even from a Pope, and be damned for using it, but he gives the preacher neither Christian name nor place. The fact is, the colleges in Oxford were at this time mere fragments in the University. Some were wealthy, like Merton, New, and All Souls; but the resources of these foundations were limited to the recipients of the benefaction, and the rule of the founder was to put as many persons on the endowment as the funds would bear. Besides, the fellow was always to be poor. Chichele allowed no man to share his benefaction who had five pounds a year income. The fellows of Merton, to judge from the furious quarrels among them and the trivial causes of the quarrel, must have housed together, and seen hardly any one else, like the Spanish monks in Browning's poem. The fellows of New College were often constrained to go into religion, because they could hardly live. Those of the poorer colleges, like University, Balliol, Oriel, Exeter, Queen's, and Lincoln, were the recipients of small stipends, derived from some tithes and some buildings, and eked out their scanty revenues by taking lodgers. Thus Wiklif took lodgings in Queen's, and was probably acceptable, because he was then high in favour with the King and his son John of Gaunt, whose son, afterwards Cardinal Beaufort, and grandson, afterwards Henry V, were

educated within the same college. So George Nevil, Bishop of Exeter, the son of the Earl of Salisbury, was at Balliol, Archbishop Courtenay was at Exeter, Archbishop Arundel was at Oriel; but they were there, as the Duke of Exeter's sons were in the early part of the same century at the King's Hall, Cambridge, lodgers on pension within the precincts of a humble foundation. So Gascoigne himself lived at Oriel: the only fellow of which, or indeed of any college, that he recognises in his book is the hateful Pecok. He did not concern himself with institutions which were at that time mere excrescences on the University, and were inhabited by students, who were only just different from monks by the rule of their foundation, and bettered their fortunes by turning monks. The day had not come for the more opulent college of Waynflete, into which Cecily, the mother of Edward IV, vainly begged the bishop to introduce a protégé of hers. Besides, a country gentleman, whose conscience had led him to take Orders, was not likely to trouble himself about places where pauper students were housed, and in which only one person, the head, was, like an abbot, allowed to be wealthy.

In the fourteenth century, Oxford had stood up bravely for Wiklif, and had disclaimed him and his followers only under the serious threat that they would forfeit their privileges if they did not. That this coercion did not extinguish heresy is to be expected and was proved. The open expression of opinion might have been prevented, but it was no gain for the University that Peter Payne, alias Clerk, alias Freyne, alias Inglis (p. 187) stole the seal of the University, and induced the Bohemians to believe that all Oxford was of Wiklif's way of thinking, and Gascoigne to lament (p. 50) over the *praetensi scolares Oxoniae*. In 1410, the authorities condemned Wiklif and burnt his books at Carfax. But, in 1452, as I have noted in the sheets of my forthcoming volumes on Prices, a book of Wiklif, and other books bearing on the controversy which he raised, were bought in Oxford at a cost of 53*s*.

The violent suppression of free opinion in Oxford was a turning-point in the history of the University. It lost its spirit, and became a home for adventurers and loungers. It could not be brought to denounce Pecok (p. 38), when London and Cambridge were loud against him, for fear of displeasing the bishops, though two Oxford clerks tried to prove he was in the right, and were baffled. It was a place where idle and non-

resident rectors and dignitaries lingered (p. 198) as they did at Paris, though few, perhaps, were such scandalous persons as the pluralist and lay archdeacon, the idiot Birmingham. Gascoigne tells two stories (pp. 188, 222) of Oxford clergymen, which prove that the vices of the University had extended to the parish priests, if they were not encouraged by them, and of a friar minor (p. 139) who openly excused incontinence in a sermon, but was excommunicated afterwards.

Henry the Fifth, we are told (p. 218), intended to reform the University of Oxford and its statutes, 'the mere work of young men, by providing that the regents should not hereafter dispense with any University statute, and further said that he purposed founding a college of theologians and artists (i.e. secular students in arts) within the Castle of Oxford, and annex to this college all the alien priories, and the Pope agreed to this plan, but he was prevented by death. His son Henry VI, in his youth, gave these priories to the college of Eton near Windsor, and the college of St. Nicholas at Cambridge, i.e. King's.' The same resources availed for the great foundation of Sion Abbey and Nunnery at Sheen. Henry VI founded Eton and King's on the model of Winchester and New Colleges. He even came down to Osney Abbey near Oxford, and heard the service performed there by the choir of New College (I found the items of the expense to which New College was put for the service in the annual account), but for some reason or other, he took a dislike to Oxford, and tried to persuade Waynflete, we are told, to transfer his intended benefaction to Cambridge.

Apart from the general corruption, cowardice (p. 38), and sophistry (p. 200) which prevailed in the University, the principal complaint which Gascoigne makes against Oxford is the venality of the regents. They sell graces and degrees for money (pp. 3, 20, 208), they even sell the office of Bedel. The most scandalous case, however (p. 24), was that of a rector, who was caught in adultery with the wife of one of his parishioners, but was disgracefully left in his cure by the bishop. 'Yet,' says Gascoigne, 'Oxford afterwards admitted him as Doctor of Degrees, and thereby affronted numbers of people, and thus by an act of the bishop and an act of Oxford, admitting good and bad to the highest academical degrees, infinite mischief and bold sin follow.'

The Universities gave the code of morality to the bishops and the

priests whom they trained, and the court made them even more depraved. However saintly might have been the life of the king, however ardent his piety, however hateful in his eyes cruelty and licentiousness were, the age was eminently licentious and cruel. The dress of men and women was in the last degree indecent (the fashion [p. 144] began in 1429), and all the vices which might be expected from such fashions followed. The season of Christmas was profaned by ribald songs, so shocking that, says my author, 'an eminent person that I knew of, on hearing one of these indecent ditties, could not get it out of his head, nor forget its images, and became so oppressed by the recollection that he died.' 'The season of 1457 (p. 12) was very deadly, men dying of hemorrhage from all parts of the body, a judgment of God on account of the profane oaths which were then so common, and which took the form of swearing by the person and limbs of Christ.'

Among the other vices of the age, Gascoigne comments on the growing spirit of litigiousness and the enormous increase of common lawyers. 'Formerly (p. 108) when quarrels and squabbles arose in a parish, and between parishioners, they were generally settled by the wise handling and counsel of the clergy, and there were few pleas and actions got up by lawyers. But now quarrels, dissensions, actions, and pleas are multiplied and prolonged, and thus the money, which might have gone to good works, owing to the number of these quarrels goes to lawyers, and advocates, and counsel, and the number of these lawyers, jurists, advocates, and pleaders is far greater than it need to be, the men who defend the bad for base partiality or base fear. And yet many times the cause which has been pleaded long and with great expense gets a settlement and conclusion by the handling of the great.' 'Before the great plague (p. 202), there were few quarrels among the people, and few lawsuits, and few lawyers in the realm of England, and few legists in Oxford ; and then the English judges wore, in their hoods of office, lambskins and not miniver. It was only bishops, doctors, masters in the Universities, and lords of Parliament, who wore miniver, ermine, and grey fur.' 'Men keep to the law (p. 127), not because it is the law, or because it is just, but because doing thus or thus is the means for heaping up riches, and because they love to bring loss and shame on others. Thus, they put a man charged with an offence into jail, in order to get ten marks for letting him out on

bail; and it is for these reasons that they are glad that the law is transgressed. Now, they say, our gains grow, when men break the law, and they rejoice in the worst acts for the villainous gain which comes to them from the offences of others. I heard a bachelor of law say "I wish there were more criminals than there are, for then we lawyers should do well," that is, he wished men to be evil-doers, that he might get his profit from trials.' Thereupon Gascoigne tells a story of one Richworth, a bailiff of Henry V, who bribed a man to create a disturbance in order that he might make a good thing of it, and had his head broken, in satisfaction of the bargain, by the man whom he had bribed.

In connection with this growth of litigation and chicanery, Gascoigne states that latterly in England, about 1443, what he calls a *falsa lex* was discovered, by which I suppose he means some precedent was established in relation to entails. 'If any person has an estate in tail limited to himself and the lawful heirs of his body, and mortgages this estate to another for a certain term, and the mortgage money be not paid on the day appointed for payment, the estate tail will pass to the mortgagee as an estate in fee simple, and the heir in remainder will be unjustly deprived of his inheritance.' And then he says,—the passage is rather obscure,—'Woe to him by whom the offence cometh, i.e. the origin of such a mischief, that it may be possible to entail land, and that the lord of a fee simple, which he himself has without condition, should give it on condition, viz., that such and such persons should have the lands after him.'

The reader will find much more than I have commented on in these extracts. My object in writing this long introduction has been to give some account of the political and social condition of England in the first half of the fifteenth century, and particularly during the period which followed after the loss of the English possessions in France to the time of Gascoigne's death. The greater part of these notes were made I believe in the last eight years of Gascoigne's life. He lamented over the evils which had already come upon England, and he foresaw that greater evils were in store for her. To the modern student not the least of these was the wreck, for nearly two centuries, of public liberty in parliamentary institutions. Dark as the prospect was, unpromising as the materials were, some statesmen in the middle of the fifteenth century believed that they could grapple with the difficulties of the situation. But their efforts were

overpowered by the violence of faction, the corruption of the Church, the dangerous adventurers whom the cessation of a protracted war had thrown loose upon English society and who speedily found their field for action, and the violence of the nobles. Yet, strange to say, through the whole of that grievous and protracted strife, wealth was accumulated and generally distributed, and it became possible, though after a long interval, with many labours and much suffering, to build up anew and maintain under more secure conditions, those institutions which were made havoc of in the strife which began when Beaufort, Percy, and Clifford were slain in the skirmish at St. Alban's.

LOCI E LIBRO VERITATUM.

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[p. 10.] **Absolucio.** Sic tu episcope seu rector, qui es absens a cura tua, occupatus in rebus quæ tibi et curæ tuæ sunt incompossibiles, vade prius et reconcilia et reforma curam tuam ut debes, et tunc offeras sacerdoti in nomine Domini munus confessionis tuæ. Sed forte dicis, necessarius sum concilio regis et regni, ut causæ ibi terminentur et lites, et ideo non possum venire. Ostendetur quod dato uno sequuntur plura; plura enim mala fiunt in pluribus locis quæ non fierent si episcopi, rectores, et domini temporales sua loca debite regerent et in eisdem expectarent; et quia sunt absentes et curam suam negligentes, ideo plura mala fiunt et reformacione indigent per concilia magna in regnis, quia ipsi non sunt cum suis subditis, et quia deficiunt in sua cura eis debita, sicut mala magna fiebant inter Galathas.

[p. 15.] Novi enim quod unius ecclesiæ cathedralis[1] officiarii injungunt et præcipiunt omnibus curatis suæ provinciæ, ut in quadragesima injungant confitentibus, ut solvant quolibet anno matrici ecclesiæ aliquid de bonis suis, et pauperi qui non habet iij[d] injungit et præcipit suus curatus pro penitencia xl[d] solvendos ecclesiæ cathedrali, et alius curatus accepit ecclesiam et parochiam suam propriam ad firmam de officiariis ecclesiæ cathedralis. Novi unum qui solvit v. solidos annuatim pro sua parochia ecclesiæ cathedrali, et ipse idem sacerdos parochialis præcepit et oneravit et injunxit cuilibet viro in sua

[1] The Cathedral alluded to is York.

parochia ut solveret illo anno ecclesiæ cathedrali certam summam, ita quod quidam pauperes solverunt xl[d] eidem sacerdoti ecclesiæ cathedrali solvendos, et ille injungens habuit illam parochiam ad firmam pro v. s. Sed talis penitencia, dependens ex arbitrio solum sacerdotis, potest refutari teste doctore subtili super quartum.

[p. 16.] Videte hæc et intelligite, o confessores! et vos fratres vocati milites de Rodis, qui plura bona recepistis ad sancte dispensandum et ad sancte militandum, ne pagani intrarent terras Xtianorum, et jam abutimini bonis illis in deliciis peccatorum: in diebus enim meis, milites de Rodis vocabantur fratres, et ipsi equitantes portabant sarcinas suas super equum super quo equitabant ipsi fratres milites, et unam partem bonorum suorum annuatim domino magistro insulæ Rodæ, et aliam partem bonorum sanctis et pauperibus dederunt, et terciam partem hospitalitati suæ.

[p. 23.] Sic doctor Thomas Walden, in suo Doctrinali antiquitatum ecclesiæ, volumine iij°, ca° sexagesimo ix°, testatur bene et recte quia aliqua Deus ligat quia ecclesia sua prius illa sentenciat seu ligat. Ipse enim doctor Walden[1], Oxoniensis Cathedræ, in sacra theologia scripsit contra Wyclyf et Hus et Ieronimum de Praga tria volumina, vocata ab ipso doctrinale antiquitatum ecclesiæ, et primum volumen est de ecclesia et de ejus membris et continet iiij[or] libros, secundum volumen est de sacramentis ecclesiæ, continens unum librum sc. quintum, et 3[m] volumen continet unum librum, sc. sextum tocius operis, et est de sacramentalibus ecclesiæ. Et mortuus est quando fuit in partibus Galliæ cum rege Angliæ juvene Henrico sexto, existens confessor suus, sicut prius fuit confessor patris sui Henrici quinti regis Angliæ, et frater fuit ordinis Carmelitarum, qui dicunt seipsos esse professores essencialium regulæ sancti doctoris Basilii doctoris Græci.

[1] For an account of Thomas Netter of Walden, see Shirley's 'Fasciculi Zizaniorum,' p. lxx.

[p. 38.] Cum tum evidet ex magnis evidenciis quod plures sunt pœnæ debitæ in judicio Dei pro peccatis quæ indulgenciæ concessæ a papa nec tollunt nec quoquo modo tollere possunt.

[p. 42.] Hæc magister Joannes Scot ordinis fratrum minorum et doctor sanctæ theologiæ, natus in villa vocata Duns in Boria Angliæ.

[p. 55.] **Appropriacio et non residencia.** Aliqui nunquam vel raro resident in suis curis, et ille cui ecclesia est appropriata, et ille, qui non residet in ea, semel in anno venit ad curam, vel mittit ad ecclesiam in fine autumpni, et impleta bursa sua pecuniis, et venditis decimis, recedit longe a cura sua in curiam in qua vacat lucro et deliciis; de quo verificantur verba scripta per Salamonem proverbiorum 7°, 'non est vir in domo sua, abiit via longissima, sacculum pecuniæ secum tulit, in die plenæ lunæ reversurus' i.e. in autumpno quando est plenitudo fructuum; . . . Jam enim in Anglia periit cura animarum per ecclesias appropriatas, et per non residenciam curatorum et prelatorum, et per indignorum promocionem et per pluralitates beneficiorum seu maleficiorum, et per pessimam collacionem gradus scolastici et concessionem graciarum indignis et viciosis et insciis personis in Oxonia, et in aliis studiis, quæ collacio mala graduum scolasticorum non erit destructa quousque potestas dispensandi cum bonis statutis retrahatur a regentibus, et a procuratoribus Universitatis, qui pessima concedunt pro lucro perveniente eisdem per graduatos et graduandos per eosdem.

Quando una abbathia vel collegium orat pro ipso vel ipsis qui appropriabant eis ecclesiam parochialem, unus destruens est tota; multiplicacio malorum quae secuuntur ex mala appropriacione ecclesiarum parochialium sc. destruccio cleri, destruccio boni curati, et doctrinæ, et boni concilii, et exempli, et hospitalitatis, et exhibicionis pauperum et juvenum ad studium. Hæc sunt mala quæ secuuntur appropriacionem, et destruunt et impediunt bonum quod alii optant illi homini qui ecclesias appropriari fecit seu appropriari consensit, et defectus sequens per appropriacionem inter parochianos meretur ipsum maledici

a Deo per inflicciones pænæ qui ecclesiam appropriari fecit. Ecclesia tum parochialis bene est appropriata quando est collegiata, i.e. ita quod certæ bonæ personæ in ea fundatæ maneant et perficiant in eadem parochia sic collegiata.

[p. 56] Item notum est per cronicas et res gestas et nuper visas, quod superflua monasteriorum et redituum eorundem data fuerunt in perpetuum, licencia papæ Martini 5^i collegio studencium fundato Papiæ [1], quæ olim vocabatur Ticinum, et bona plura monasteriorum et hospitalitatum et capellarum quæ vocabantur liberæ capellæ, et sic credo firmiter, quod sanctum opus esset papæ appropriare superflua monasteriorum et collegiorum magnorum et cathedralium ecclesiis parochialibus et earum curatis immediatis, in quibus ex diversis causis homines et animæ pereunt.

[p. 59.] Comparacio non esset inter relevamen viginti monachorum per ecclesiam eis appropriatam, et inter rectorem, qui nunquam facit bonum in parochia sua; sed comparacio esset inter bona opera quæ illi viginti monachi faciunt per illam ecclesiam appropriatam, et inter omnia bona opera quæ bonus rector post mortem mali rectoris in illa parochia faceret, et omnia opera quæ pervenirent in parochianis per ejus sanctam vitam et exemplum, et per ejus doctrinam et eleemosinam et hospitalitatem, et per exhibicionem juvenum ad studium in scienciis, et per devotam oracionem curati et suorum ministrorum factam pro parochianis et coram parochianis, ut eorum exemplo excitentur ad consimiliter orandum; inter hæc bona debita inter parochianos et inter bona opera quæ illi approprietarii ecclesiæ eis appropriatæ faciunt per bona illius ecclesiæ appropriatæ eisdem. Videtur autem jam manifeste quæ deliciæ et honores mundi multiplicantur per appropriacionem ecclesiarum, et quæ per non residenciam episcoporum et curatorum, et per defectum boni regiminis

[1] (Papiæ), i.e. Pavia. I do not find the fact referred to by Gascoigne among the Bulls of Martin V.

in sua dyocesi et parochiis mala litigia multiplicantur in eisdem; ideo fit magnus recursus ad consilia multiplicanda in regno.

Si quis fundaret collegium in augmentum scienciæ, virtutum, et doctrinæ seu devotæ religionis viros, videat quod sic fundaret eos de bonis suis propriis, quæ eis sufficiant ad necessaria, non appropriando eis ecclesias parochiales.

[p. 60.] Nuper enim unus comes fecit ecclesiam de Haghkarth appropriari monachis albis de Gervas ad valorem annuatim centum librarum, et ille comes habet sibi et heredibus suis de eadem abbathia terras de eorum fundatione, quæ valent annuatim xl libras, quas eadem abbathia dedit comiti et heredibus suis pro illa appropriacione ecclesiæ parochialis eisdem monachis. Et consimiliter habent monachi Eborum ecclesiam de Ormyshede pro manerio Scottun appropriatam; et studium et promocio studencium et exhibicio ad studium pereunt. Item monachi nigri Eborum habent xx marchas annualis pensionis eisdem monachis in perpetuum relaxatas per ecclesiam cathedralem Sancti Petri Eborum. Illa enim sic relaxavit monachis illam annualem pensionem xx marcharum pro jure patronatus unius ecclesiæ parochialis concesso per monachos ecclesiæ sancti Petri Eborum, ut per licenciam concessam per Henricum Sextum regem Angliæ eadem ecclesia Ecclesiæ sancti Petri approprietur.

Indigna enim promocio inhabilium personarum et appropriacio ecclesiarum parochialium causæ fuerunt destruccionis regni Bohemorum, et hereticorum illam patriam et regnum destruentium, et quando verisimile fuit quod talia mala imminerent regno Bohemiæ, per indignos prælatos, per appropriacionem ecclesiarum, et per curatos non residentes in curis suis, Universitas Pragensis scripsit Martino 5° pro remedio horum malorum, sed remedium non fuit consecutum sed destructum est regnum Bohemorum et ecclesiæ destructæ et combustæ per Hus hereticorum principem et per Petrum Clark Anglicum, magistrum artium inutilem Oxoniæ, qui fuit natus in Anglia in villa juxta

Grawntham vocata Anglice Hoch, et ibi mansit pater ejus, qui fuit Gallus seu Francus nacione, natus in Gallia, qui Petrus associatus fuit malo heretico Procopio, in Praga principali heretico.

[p. 61.] Abbathia de Byri in tempore Willelmi Cratfeld[1] abbatis optinuit a Papa Romano licenciam eligendi abbatem quandocunque abbas moreretur sine recursu ad papam; antea enim non eligerunt abbatem nisi prius haberent specialem licenciam a papa eligendi, et nisi eciam quilibet electus confirmaretur Romæ, et pro ista licencia eligendi abbatem sine recursu ad Romam vel ad papam, solvunt prædicti monachi de Byri annuatim xx libras, et eciam solvunt regi annuatim xx marchas pro licencia retinendi sua temporalia in manu monasterii post mortem cujusque abbatis, et ad solvendas istas pensiones appropriaverunt monasterio suo duas ecclesias parochiales et habent sexaginta sex ecclesias eis pertinentes.

[p. 62.] Nuper unus comes destruxit unam magnam ecclesiam et parochiam in hoc quod appropriavit bona debita Rectori illius ecclesiæ uni Abbathiæ ea intencione; ut quolibet anno celebrent exequias et missam pro anima ejus; et ipsi divites religiosi multum dotati comiti benedicunt, et parochiani illius ecclesiæ appropriatæ et animæ per defectum boni curati pereuntes ei maledicunt, et viduæ flent et dolent, et lacrimæ coram Deo pœnam comiti merentur, quia sicut ei maledicunt, sic habent justam causam per quam idem comes maledici a Deo meruit, eo quod per actum suum et per illam appropriacionem deest eis bonus pastor et rector et honestus victus et hospitalitas in parochia et verbi Dei prædicacio, et sanum et necessarium consilium pro salute animarum, et sic per ipsum orta est hæc gravis tempestas plurium malorum in illa parochia.

[p. 65.] **Abusus.** Ut ostendit doctor Willelmus Wudforth in libro contra Trialogum Wycliffe, i.e. contra 18 conclusiones Wyclyffe extractas a Trialogo Oxoniæ et Londoniæ dampnatas.

[1] 1390–1414.

[p. 66.] Nam Pragenses heretici et Bohemi heretici, qui magnam partem orbis suis erroribus et suis bellis vastaverunt in tempore Papæ Martini quinti, ex hoc præcipue in errores venerunt, quod cura animarum inter eos defecit per indignos in ecclesia promotos, et per non residentes in curis et in officiis, et per appropriaciones et per commendas ecclesiarum et prebendarum; ut patet in literis missis Papæ Romano Martino ab Universitate Pragensi, in quibus scripserunt Papæ quod verisimile fuit errores in regno Bohemiæ pululare pro causis prædictis.

[p. 91.] **Astronomorum judicia.** Consimiliter dixerunt falsi astrologi qui vocantur calculatores Willelmo Pule duci Southfolchiæ anno Xti 1450 in turre Londoniarum incarcerato; duci enim existenti in turri ex clamore communitatis Angliæ in Parliamento dixerunt astronomi, 'domine dux, si poteritis evadere vivus ab ista turri Londoniarum, sub pœna capitis nostri exitis tunc securus ab occisione cujuscunque;' et tum ipse dux per licenciam Regis Angliæ Henrici Sexti a turri Londoniarum occulte exiens, in mari captus fuit et occisus per sententiam latam a marinis in navi vocata Nicholaus de Turri. Hæc dixit michi famulus prædicti ducis qui novit ista esse vera.

Consimiliter est dicendum de pluribus indiciis astronomorum qui in diebus meis in Anglia multa futura prædixerunt quorum contraria oculis nostris vidimus; prædixerunt enim, quod si dux Suthfolchiæ Willelmus Pule esset extra turrim Londoniarum nunquam postea esset occisus, et tamen postea a marinis fuit in mari occisus et decollatus in parva navi 1450 anno Xti.

[p. 110.] **Baptismus.** Ostendit Sanctus Bernardus, doctor et abbas Clarevallis, in epistola ad Adam monachum de obediencia. Papa contra meram racionem et Scripturam sacram licite facere vel licenciare non potest, quia ejus potestas data sit in ædificacionem animarum et eorum quæ Deo placent, et non ut secundum voluntatem suam faciat, et si verbo suo vel facto contraria faciat, vel ignorancia decipitur

vel nimia importunitate vincitur, ut testatur Sanctus Bernardus in epistola prædicta quæ incipit, 'si maneres in caritate.' Novi enim quando papa Romanus, nimia importunitate instancium pro licencia habenda fatigatus, dixit astantibus, 'ad diabolum fiat ut petitur,' et statim ex tali concessione extorta fiebat bella (*sic*) papalis sigillata, et episcopus qui ibi interfuit et vidit mihi doctori testimonium perhibuit. O qualis est ista vocalis concessio! Nunquam talis concessio ligat Deum, ut contra judicia sua faciat justificata in semetipsis, plane non potest.

[p. 111.] **Bellum.** Anno Xti Jesu 1456 fuit bellum Dei et ejus victoria ostensa in paucis Xtianis in regno Hungariæ pugnantibus ibi contra maledicos Turcos et eorum imperatorem, qui ante illum annum invasit et obtinuit civitatem Constantinopolim, quia imperator intendebat, ut dixit, delere nomen Jesu Xti sub cœlo, quia clam et furtive intravit per mare in Danubium, fluvium magnum, et in nocte ante vigiliam Beatæ Mariæ Magdalenæ. Dimissis galeis suis in aquam Danubium, intravit in regnum Hungariæ cum suo exercitu malo et magno, et facto ibi insultu suo contra castrum vocatum Altum Gradum, et contra villam ei annexam vocatam Cris Wissenberge, i.e. Xti alba villa, pugnabant in vigilia et in festo sanctæ et beatæ Mariæ Magdalenæ cum 40^{a} millibus Xtianis de Hungaria exeuntibus extra castrum prædictum et villam, semper alta voce clamantibus Jesus! Jesus! Jesus! doctore Johanne de Capistrano ordinis sancti Francisci precedente Xtianos cum magna cruce et clamante et eciam faciente Xtianos alte clamare Jesus! Jesus! Jesus! continuis vocibus, quo facto, viso, et audito a perfidis Turcis paganis, percussit eos Deus et eorum perfidum imperatorem tanto timore et horrore quod fugierunt a facie Dei; et prædicta 40ta millia Xtianorum occiderunt de illis Turcis paganis centum millia et 50ta millia, captis eorum magnis diviciis manu et auxilio Dei omnipotentis, ut testatur in literis, sigillo armorum suorum sigillatis, capitaneus illius belli Xtianorum dominus Johannes de

Hungat, comes perpetuus Wisterciensis, quas literas suas misit in Angliam cum Domino Erasmo Fullar sacerdote de Hungaria qui in illo bello contra Turcos fuit, occiso ibi fratre suo domino Oswaldo Fullar, qui fuit miles, et occisa tunc fuerunt de Xtianis 18^{im} millia, quamvis nos in Anglia habuimus rumores quod fuerunt in illo bello 20^{ti} millia Xtianorum tum, et quod tum unum mille ex eis fuit occisum, qui rumor in Anglia non fuit verus, quamvis in literis missivis scriptus, et quia rex Hungariæ dominus Ladislaus fuit tum juvenis 20 annorum in ætate, ideo prædictus comes dominus Johannes de Hungat fuit gubernator regis et regni Hungariæ; et prædicta novit Thomas Gascoigne, Eboracensis diocesis, vocatus doctor Theologiæ Oxoniæ, qui hæc audivit in Oxonia, et vidit in literis prædicti comitis, sigillo armorum suorum sigillatis, et fecit sermonem coram Universitate Oxoniæ, in processione ibi generali, cantato ibi 'Te Deum laudamus' usque in finem, in ecclesia beatæ Frideswidæ virginis, et non novi nec audivi quod Episcopi Angliæ prædicaverunt materiam divinæ laudis pro hoc magno miraculo divino, sed si hi episcopi tacuerint, lapides clamabunt, i.e. simplices Xtiani dicent, 'omnis spiritus laudet Dominum semper.' Prædictus doctor Bononiensis, sanctæ memoriæ prædicator et socius Sancti Bernardi, anno Xti 1450 Romæ canonizati, doctor Johannes de Capistrano fecit multas prædicaciones et reformaciones in regno inclito Hungariæ de episcoporum moribus malis, et abbatum et religiosorum et sacerdotum, et laicorum adjuvantibus eum, et contra eosdem defendentibus eum dominis temporalibus in Ungaria; qui eciam prædicat in regno Boemiæ multum destructo per hereticos Boemos M. Johannem Husse et per alium magistrum arcium Jeronimum de Praga in regno Boemiæ, quia nutriti erant in malis eorum erroribus et heresibus per libros mali doctoris Johannis Wycliff de Anglia, quos libros Boemi scholares in Oxonia portaverunt in Boemiam, ut patet in libro de gestis concilii Constanciensis et Basiliensis quos vidi. Et pessima regina uxor 3^{ii} Wenceslavii regis

Boemiæ defendebat prædictos duos hereticos Bohemios et eis adhærentes, et eciam malum magistrum arcium Oxoniæ Petrum Anglicum, qui portabat libros multos prædicti Wyclyffe hæretici de Anglia in Pragam in regnum Bohemiæ, qui Petrus fuit filius unius Francigeni, sed natus fuit in villa Angliæ quæ vocatur Hogh juxta villam vocatam Grantham, et vocavit se ipsum Petrum Clericum, Anglice, Clark. Et prædicti Johannes Huss et Jeronimus de Praga fuerunt combusti ut hæretici in Constancia tempore consilii Constanciensis, ut dixit mihi doctori Gascoyne bonæ memoriæ episcopus quondam Herfordensis dominus Thomas Spofforth, sepultus Eboraci, qui hoc vidit Constanciæ in tempore prædicti concilii generalis Constanciæ. Et prædictus imperator Turcorum, Waldewach nomine, filius bastardus Cassiani Imperatoris Turcorum, invasit et adquisivit sibi et Turcis civitatem Constantinopolim, et occidit imperatorem orientalium Xtianorum, et papa Calixtus tercius vocat eum in bulla sua missa in Angliam anno Xti 1456° alterum Macometum, et iste imperator Turcorum sic scripsit in scriptis suis isto stilo: 'Waldewach, gracia Macometi imperator Turcorum, Tartarorum, et Græcorum, et inimicus omnium Xtianorum,' et frater ejus ex parte patris sui imperatoris Turcorum, hæres Turcorum, captus fuit per Venetos, et Romæ mandato Papæ Calisti 3ii baptizatus fuit, et vocatus fuit Valentinus, sicut fuit papa ille vocatus ante suum papatum.

[p. 125.] **Correccio.** Episcoporum officiarii optant jam ut plura vel omnia essent prohibita populo, ut necessitate coacti recurrerent ad eos pro licencia et dispensacione concedenda, ut liceat eis facere contra legem ecclesiæ, seu contra mandata episcopi diocesani. Nuper enim novi quod officiarii episcopi habuerunt quinque marcas ex uno armigero pro licencia quam ei dederunt ut esset nuptus in ecclesia parochiali sine bannis proclamatis in ecclesia, et sine illis quinque marcis non voluerunt dare ei prædictam licenciam. Item habuerunt x marcas ab una muliere vidua pro licencia habenda ut posset vovere castitatem coram quocunque episcopo vel abbate, ita quod non

teneretur hoc facere coram suo diocesano. Item pecierunt xl^s. instanter, dicentes quod [nol]unt dare licenciam in anachor[etum] ut translaretur de uno loco angusto in alium locum spaciosum, nisi daret eisdem xl^s. et illis datis licuit quod eis placuit: et sic væ! quia tot sunt tenebræ, sed sit Deus judex, et videat et judicet causam meam, primo Regum 24. Item jam curati habent in mandatis in una diocesi michi nota, quod nullum absolvant de sua parochia de anno in annum nisi solvant ante absolucionem tantam pecuniam quantam prædicti officiarii episcopi præcipiunt curatis injungere suis parochianis, et dicunt quod illa summa transibit ad reparacionem ecclesiæ cathedralis, quæ est valde dotata bonis terrenis inter omnes ecclesias regni, et posuerunt ad firmam unamquamque ecclesiarum pro illa pecunia, et curatus qui accepit ad firmam unam ecclesiam parochialem pro uno nobili solvendo ecclesiæ cathedrali quolibet anno, ita injungit in confessione parochianorum suorum pænam pecuniariam quia accepit xc solidos ab eisdem sub colore pecuniæ solvendæ ædificio et necessariis ecclesiæ matricis quolibet anno, et istud malum incepit circa annum domini m^m cccc^m xl.

[p. 165.] **Castitas.** Nobilis memoriæ doctor Magister Thomas Walden, alias Nettar, sacræ Theologiæ doctor Oxoniensis et frater Carmelita,—obiit in Domino in civitate Rotomagensi, existens prius confessor Henrici quinti et postea Henrici sexti regum Angliae; solebant enim reges Angliæ habere in suos confessores bonos doctores theologos, non episcopos. Henricus enim sextus fuit primus rex in Anglia qui habuit episcopum continue secum manentem in suum confessorem, episcopum Sarum Willelmus Hachke, qui a suis diocesanis occisus fuit anno Xti 1450, eo quod non residebat in episcopatu, ut dicebatur.

[p. 203.] **Contra caudas dominarum**[1]. Item tales caudas relinquerent dominæ, ut priores sanctas dominas et Deo acceptas imitarentur, qui talibus usæ non fuerunt. Nam secundum relacionem

[1] Ista cauda quæ Anglice 'trayn' vocatur quia trahitur, et ad malum trahit.

antiquorum, in tempore Annæ reginæ Angliæ et uxoris regis Ricardi nec ante tempus illud vestes dominarum ad terram descenderunt cum caudis.

[p. 251.] **Deus.** Ego Thomas Gascoigne sæpe vidi et credo firmiter, quod opera quæ dominus Lynconiensis doctor Robertus Grosseteste edidit et propria manu sua scripsit, quæ opera ego sæpe vidi, extendunt se in quantitate scripti ultra quantitatem doctoris Nicholai de Lyra supra scripturam sacram, in sensu historico, et in opere suo morali super Bibliam, quod opus morale doctoris de Lyra ego idem Thomas Gascoigne vidi Oxoniæ in Collegio Balioli in manibus doctoris Roberti Twathys magistri principalis illius Collegii.

[p. 257.] O quam magna sunt opera tua, Domine Deus! Hoc anno Xti Jesu 1457, in quo fecisti plurimos homines mori in Anglia emittendo sanguinem per os, per nares, per oculos, per ungues, per juncturas, et per secessum, scilicet in illis partibus corporis per quas horribiliter jurare consueverant: scilicet per oculos Xti, per faciem Xti, per latera Xti, per sanguinem Xti, per cor Xti preciosum, per clavos Xti in suis manibus et pedibus; in quibus partibus homines plurimi tum illo anno dominicæ incarnacionis sanguinem emiserunt, ut ego autor hujus libri, seu scripti, de veritatibus collectis, secundum formam tabulæ, novi et pro memoria futurorum hæc scripsi; et credo firmiter, quod magna ira Dei imminet super capita plura, seu rectores plures in populo Dei, qui ponunt festucas in populo ubi ponerent columpnas vivas in regimine animarum et populi Dei; ponunt enim pueros in ecclesiis, in præbendis, in dignitatibus, et in episcopatibus, ubi ponerent viros eximios scientes et devotos, et papa Romanus licenciat eos, ut novi, ad habendum fructus, et ad percipiendas omnes pecunias episcopatus, sic tum quod ipsi non consecrarentur in episcopum illius episcopatus per 4^{or} annos vel amplius. Heu! Heu! quod hoc venenum non solum intravit in Romam nepoti Kalisti 3^{i}, sed eciam in malum exemplum posteris intravit in Angliam circa annum

domini 1455, ipsis promotis in ecclesia retinentibus omnia beneficia priora per licenciam papæ, et eciam recipientibus omnes pecunias episcopatui certo pertinentibus (*sic*), non obstante quod papa mandat eis per tot annos in episcopum non consecrari propter defectum ætatis. In annis pluribus enim videtur, quod sicut papa non licenciavit eos ut per diversos annos non consecrarentur in episcopum, sic non licenciasset eos ad recipiendum pecunias illius episcopatus nec ad conferendum beneficia collocacioni episcopi loci illius pertinencia[1].

[p. 291.] **Ecclesia.** Roma enim singularis et principalis ferus vastavit vineam ecclesiæ, elecciones episcoporum sibi ipsis reservando, ut nulli conferant ecclesiam episcopalem alicui nisi prius solvant annata seu primos ecclesiæ vacantis fructus et redditus. Item destruxit vineam ecclesiæ Dei, in pluribus, elecciones omnium episcoporum in Anglia cassando. Item destruit ecclesiam malos promovendo secundum quod rex et ipse consentiunt. Item Roma ut ferus vastavit in hoc ecclesias quod omnes elecciones episcoporum in ecclesiis cathedralibus factas cassavit, statuendo quod omnia elecciones episcoporum pertineant cameræ apostolicæ, i.e. eleccioni papæ et suorum cardinalium. Item quod Roma non vocat aliquem episcopum nisi quem papa et cardinales eligunt in episcopum vel in archiepiscopum præhabitis et solutis Romæ prius fructibus millibus marcharum, et eciam solutis primis, i.e. donis ad curtesanos Romanos seu papales.

[p. 311.] **Episcopus.** Notum est jam in regno Angliæ quod pueri, juvenes, et in curiis mundanorum manentes ponuntur jam in ecclesiis et in magnis officiis et prælaciis, postpositis aliis qui diu in studio et in prædicatione et in regimine populi, sine lucro mundano, occupati fuerunt. Novi enim unum Cancellarium Universitatis studii Oxoniensis, qui publica fama bonus rector Universitatis et Cancellarius vocabatur, et bis fuit ibidem electus in illud officium, et resignavit tandem officium contra voluntatem villæ et Universitatis, et per xii annos antea rexit

[1] Repeated verbatim, p. 259.

ibi in sacra Theologia, et per totum tempus illius regenciæ, nec per tempus quo stetit cancellarius illius Universitatis nulla persona in Anglia optulit ei ecclesiam aliquam nec præbendam nec dignitatem nec episcopatum nec aliquod ecclesiasticum unde posset vivere ut sacerdos vel ut graduatus clericus, sed vixit toto hoc tempore de parvo suo patrimonio temporali ad quod natus fuit, eo quod filius unicus fuit in morte patris sui: et novi, quando eodem tempore quo prædictus doctor fuit cancellarius Oxoniæ in magna fama scienciæ et boni regiminis inter homines, quod inter ceteros indigne promotos, unus fatuus juvenis[1] xviij annorum in ætate existens fuit promotus ad xij prebendas et ad magnum archidiaconatum centum librarum in valore et ad unam magnam rectoriam, et unus secularis homo recepit redditus omnium beneficiorum prædictorum et expendit circā illum juvenem tantum quantum ipse secularis voluit, et nunquam dedit compotum, et ille juvenis fuit filius unius simplicis militis et quasi fatuus, fere quolibet die ebrius, quem sic episcopi promoverunt, ut placerent cuidam magno domino mundano cum quo ille juvenis in statu puerili fuit lusor, et stetit in promocione illarum prebendarum et illius archidiaconatus per xx annos fere, in quibus nunquam fuit in gradu sacerdocii nec habilis judicatus, ut possit esse sacerdos, nec unquam residens fuit in aliqua sua præbenda nec in archidiaconatu nec in rectoria, sed omnia fuerunt secum dispensata vel dissipata a sede Romana, quæ quondam fuit mater errorum et supersticionum ut testatur Sanctus Leo papa in sermone suo de martirio beatissimorum apostolorum et martirum Petri et Pauli. Hæc prædicta esse vera ego doctor hæc scribens novi et dolenter hæc sæpe cogitavi, credens plurima pœnalia imminere ecclesiæ in qua turba dominatur plurium malorum. Jam enim episcopi publice dicunt quod non tenentur prædicare, et jam publice dicunt, quod quilibet rector vel vicarius est vere residens in sua cura si sit in domo episcopi vel in aliquo officio limitato per episcopum,

[1] The person referred to was Fulke Bermingham. See Le Neve.

et tamen per plures annos nunquam vident illi curati suam parochiam, ita quod parochiani pereunt in peccatis et miseriis; et jam sunt vj episcopi in uno regno manentes in officiis temporalibus unius regis extra suas dioceses, in tantum quod unus eorum nunquam per novem annos nunquam (*sic*) celebravit in sua ecclesia cathedrali, excepta die installacionis suæ, sed semper mansit in curia temporali nisi quando suam diocesim visitabit colligendo pecunias et in die pleniluniæ reversus est in curiam temporalem.

[p. 317.] Episcopus Assavensis, Wallicus origine, nomine Reginaldus Pecok, anno dominicæ incarnacionis 1449, et antea Londoniis asseruit publice, quod episcopi quales nunc sunt in ecclesia non tenentur prædicare populo suæ diocesis nec alterius, et ex isto dicto et ex hoc quod non ponderat de dictis sanctorum doctorum sed de suis propriis glosis, maxima perturbacio et occasio multiplex malorum in Anglia et alibi orta fuerunt, diversis doctoribus Oxoniæ et Cantabrigiæ puplice coram episcopis contra eundem episcopum Londoniis et in universitatibus contra eum legentibus, determinantibus, et prædicantibus; et episcopi ei favebant. Et idem episcopus dixit magistro Thomæ Chapman quod ex opinione sua episcopali sequeretur quod nullus deinceps loqueretur malum de episcopis nec de eis murmurabit, quod per ipsum episcopum omnibus notum erit in scriptis, quod episcopi non tenentur prædicare nec alia opera curæ animarum facere, sicut clerus et vulgus opinantur, sed tenentur superintendere et questionibus aliquorum respondere. Et tum, dicto suo non obstante, quasi omnes clamant, 'Væ, væ, episcopis!' Quare primus, per eorum defectum, hæc scribo in veritate anno Domini m^{mo} cccc^{mo} xlix^{o}, ut pro perversitate presidencium et consiliariorum modernorum sciant posteri pœnalia nobis fuisse juste illata.

[p. 318.] Anno enim domini m^{mo} cccc^{mo} liij^{o} civitas tunc Xtiana Constantinopolis capta fuit per paganos Turcos, et ultra quinquaginta milia Xtianorum occisa tunc ibi fuerunt per illum Turcum

magnum et per Turcos qui vicerunt civitatem illam et Græciam, vocantes seipsos ultores sanguinis Trojani et inimicos Xti et persecutores Christianorum.

[p. 320.] Non video quod papa exemit episcopos ab onere prædicandi, nec quod sic potuit licenciare, vel eos excipere vel disonerare episcopos ab actu publicæ prædicacionis populis eorum; obligaciones enim episcoporum ad prædicandum populo suo in scriptura sacra legi juxta illud præceptum nobis prædicare populo et testificare, sed non lego ibi disoneraciones eorum ab illo actu prædicandi nec eorum ab illo onere adquietancias coram Deo, ut mihi videtur Thomæ Gascoigne Cancellario studii universitatis Oxoniæ.

[ib.] Noviter intravit in Angliam exemplum magnum peccati quando papa Calixtus tercius licenciavit, dispensavit, seu dissipavit cum uno juvene sacerdote magistro arcium Georgio Nevel, quod ipse, existens viginti trium annorum vel circiter, haberet omnes proventus et redditus episcopatus Exoniensis, et quod omnia beneficia sua alia retineret, quæ habuit ante illam licenciam papalem, ita tamen quod ipse tunc annorum 23 non esset consecratus in episcopum Exoniensem quousque attingeret xxvij ætatis suæ annum, et sic papa habilitavit eum ut vocaretur electus et confirmatus Exoniensis episcopus, et quod reciperet per certos annos omnes proventus illius episcopatus, sed non quod consecraretur in episcopum illius civitatis Exoniensis per annos 4; et ideo vere quod tale venenum intravit tunc in ecclesiam Anglicanam et tam nequam posteris exemplum. Ille enim juvenis Georgius, filius Ricardi comitis Sarum, fuit licenciatus Romæ ad pecunias episcopatus Exoniensis colligendas, sed non ad animas illius episcopatus Deo colligendas, quia papa habilitavit eum sua dispensacione seu licencia ut fructus omnes illius episcopatus reciperet, sed non quod episcopus fieret quousque ipse tunc 23 annorum in ætate attingeret 27 annum, et sic alii discent opera seu exempla talia, et fiet hoc exemplum posteris in scandalum, i.e. in ruinam seu in occasionem

ruinæ, quod exemplum malum inductum fuit in Angliam anno Xti 1456, licenciante papa Calisto 3° et illam acceptante Georgio Nevel, filio Ricardi comitis Sarum, tunc sacerdote et magistro arcium, papa enim ille secum dispensavit ut haberet licenciam colligendi pecunias episcopatus Exoniæ sed non quod esset episcopus consecratus ad salvandas animas quousque ipse tum 23 annos existens attingeret ad 27 annum ætatis suæ.

[p 322.] Nuper enim Martinus quintus papa Romanus scripsit Episcopis michi notis ut certas consuetudines malas et certa mala statuta regni publice reprehenderent, et contra ea prædicarent et contraria statuta in parliamento regni decerni et statui laborarent. Et quia episcopi nec hæc fecerunt nec hæc ausi facere fuerunt idem papa Martinus excommunicavit eos et archiepiscopum Cantuariensem suspendit a sua legacia, qua est legatus natus in Anglia sed non legatus missus. Et tunc episcopi dixerunt plane quod concilium generale fuit supra papam, et ideo a papa appellaverunt ad consilium generale proximo post tunc celebrandum, quamvis pluries antea mutaverunt sentenciam suam, dicentes quod quilibet papa est super consilium generale et illud potest ad libitum suum dissolvere, ut ipsi dixerunt. Et idem papa Martinus obiit infra breve tempus, et ideo non tulit sentenciam interdicti quam promisit se illaturum contra regnum, nisi certa mala et statuta reformarentur in regno Angliæ, et rex Henricus Sextus tunc fuit in ætate puerili, et archiepiscopus Cantuariensis Henricus Chichele doctor juris civilis et dux Glocestriæ Humfridus Lancastriæ qui postea arestatus obiit in Parliamento villæ de Byry, in quo pæne nulla parliamento pertinencia agebantur, tunc regnum Angliæ principaliter gubernabant cum aliis episcopis et dominis conciliariis regni.

[p. 324.] Sic creditur jam quod diversi et magni in mundo ita averterunt se a veritate prius eis agnita ad voluptates suas carnales et ad mundanos honores quod aut vera consideranda non intelligunt

nec aspiciunt vel contrarium veritati judicant et verum falsum et falsum verum esse affirmant; sicut notum est de uno episcopo in Wallia, famoso quondam gradu et sciencia, qui olim, dum fuit vitæ bonæ, dixit, scripsit, et prædicavit quomodo episcopi residerent in suis curis et prædicarent verbo et exemplo, et tamen postea per instanciam dominorum mundanorum, sibi in mundanis condicionibus et cautelis consimilium, adeptus est episcopatum in Wallia et diversis annis vix parvo tempore fuit intra suam diocesim, sed manens Londoniæ prædicavit ibidem quod episcopus in hoc quod est episcopus non tenetur populo, accipiendo istum terminum prædicare populo, accipiendo istum terminum, prædicare, in sua famosa significacione, et sic sciencia destruitur per supervenientem ignoranciam et errorem in pœnam peccatorum precedencium.

'Maledictus dolosus qui habet in grege suo masculum et immolat Domino debile,' dicit Dominus Malachiæ primo, consimili vero ratione maledictus est a Deo qui eligit et qui eligi procurat et qui admittit in regimen populi et in curam animarum ignorantem et debilem in virtute ad reformandum mala, et potest, si velit, admittere eum in tale officium qui habilior est ad hoc vita et scientia, exemplo Domini qui, ut patet Lucæ 19° ca°, donum a servo ocioso ablatum præcepit conferri illi qui habuit decem minas seu decem dona, quia ille majora bona opera fecerat et vita et sciencia habilior fuit quam ille qui recte usus fuerat quinque donis, et ideo illi dedit dominus donum ab ocioso servo ablatum, qui melius illud habere meruit, et qui melius potuit, novit, et voluit illo uti ad Dei laudem et ad animarum salutem, ut testatur Sanctus Jeronimus contra Jovinianum hereticum li°. ij°. Sed dicunt episcopi, 'Nescimus quis est habilior ut sit in officio ecclesiæ ad curam animarum.' Talibus enim potest recte dici, 'Scitis cognoscere alia terrena et dicere sic et sic est, sed dicitis in admittendis hominibus officiis ecclesiæ, nescimus quis est habilis ad hoc nec quis est habilior; quamvis opera bona, maturitas, gestus, et opera publica in salutem animæ facta ostendunt virum esse habiliorem alio ad guber-

nacionem hominum.' Talibus dicit dominus Matthæi 14, 'Faciem cœli dijudicare nostis, signa autem temporum non potestis scire.' Talibus dicit dominus Malachiæ primo, 'O sacerdotes, despicitis nomen meum, et offertis super altare meum panem pollutum.' Sic offerunt Deo et sic despiciunt Deum et ejus cultum, qui dant ecclesiam et officium seu regimen populi cæco duci et vicioso qui quærit ditari et honorari. Tales qui sic conferunt, despiciunt Deum, quia dant ei qui non curat de hiis quæ Dei sunt et de hiis quæ pertinent saluti animarum. Item despiciunt Deum quia non conferunt ecclesiam illi qui per officium suum potest, scit, et vult melius Deo placere et magis cultum Dei augmentare et animas Deo acquirere verbo, exemplo, et subsidio, sed illi conferunt ecclesiam vel officium cujus sunt obsequio deliniti, vel pro quo magnus in mundo rogavit, vel ei qui munere hoc impetravit, non illi homini cui Deus ecclesiam seu officium conferri præcipit, sc. illi qui vita et sciencia erigit alios de mala vita in bonam, de errore in scienciam, et qui magis scit et vult animabus prodesse. Talis patronus et talis eligens et qui eligi procurat aliquem, quem nec secundum racionis judicium nec per sacram scripturam eligeret, despicit Deum, et non curat de salute animarum, et tali dicet Dominus in die judicii illud primo regum: 'Magis honorasti filios tuos quam me;' i.e. magis fecisti pro tali homine quem carnaliter diligis, vel magis dilexisti dona et munera pro quibus confers beneficium vel officium quam me, quia si me magis honorares et diligeres, tali homini officium dares, quem scis vel credis magis Deo placere et magis verbo et bono exemplo animas Deo convertere, et qui melius potest, scit, et vult opera, quæ Deus fieri præcipit, implere.

[p. 326.] Si aliquis fundaret collegium ad augmentum scienciæ et doctrinæ vel religiosos, ut sancte vivant et sancte doceant, fundaret eos propriis suis bonis et eos exhiberet sine gravamine et detrimento animarum, et ideo non sic appropriarent ecclesias parochiales quando rector ejus seu curatus gravetur in penuria, vel ut gravetur parochia

per subtraccionem decimarum a rectore ad alios extra parochiam. O Domine Deus! aperi oculos mentis in episcopis, ut videant quot magna mala jam radicata sunt in populo et cotidie pululant per indignos promotos et per appropriacionem ecclesiarum, ita quod per exilitatem victus in ecclesiis parochialibus appropriatis jam non sunt in eisdem curati aliquo modo habiles ad curam, sed stant vacantes sicut oves patentes morsibus luporum per absenciam bonorum pastorum, qui sunt absentes ab ecclesiis per earum appropriacionem vel per non residenciam in eis quæ sufficiunt. Istæ duæ causæ, sc. appropriacio ecclesiarum et indigna promocio in ecclesiis, fuerunt causæ quare per hæreses pessimas et errores ecclesiæ et fides destructæ sunt jam in Praga et in regno Bohemiæ per instanciam et laborem Procopii hæretici et Petri vocati Petri Anglici, hæretici præcipui, qui fuit filius unius viri de Gallia sed natus fuit in Anglia per tria miliaria a villa de Grawntham in villa cujus nomen est Hogh, et illud nomen in boria Angliæ significatur hoc, nomine Latino, crus. Et iste Petrus hæreticus fuit magister arcium Oxoniæ valde subdolus et furatus fuit sigillum commune Universitatis, sub quo scripsit hæreticis Pragensibus quod Oxonia et tota Anglia fuit fidei Pragensium, exceptis falsis fratribus mendicantibus. Hæc scripsit ille falsus hæreticus qui vocabatur Oxoniæ Petrus Clerk.

Superiores jam in officiis mittunt juniores et inhabiles ut sint decani, archidiaconi, et curati, et judices populi, propter divicias et honores mundanos consequendos, et tales reportant vasa sua vacua, quando in die mortis suæ videbunt seipsos et subditos suos vacuos in conspectum Dei a bonis operibus et ab actibus debitis.

[p. 327.] Item in Universitate jam sunt plures admissi ad gradum per pecuniam et non per bonam vitam nec scientiam, et ideo perit sciencia et residencia bonorum curatorum, vera enim habundancia illorum inopiam suppleat.

Dominus enim papa Xti vicarius bene et meritorie potest super-

flua monasteriorum retrahere et concedere curatis parochialium ecclesiarum; sicut retraxit olim superhabundanciam ecclesiæ parochialis et dedit illam sanctis viris religiosis, quia decimæ et oblaciones debitæ fuerunt sacerdotibus ministrantibus necessaria populo et non solum pro populo. Curati enim verbo, facto, doctrina et auxilio, et oracione, et sacramentorum ministracione necessaria saluti animarum ministrarent populo et pro populo, et homines eis subditos accenderent sua devota oracione et exemplo ostenso eis. Alii autem religiosi populo proficerent orando, et merendo pro populo, curati autem proficerent populo orando, et operando, pro eis, et coram eis, et eis necessaria salutis conferendo; et curatis sunt decimæ et oblaciones debitæ ex ratione et ex lege.

[p. 330.] Iste malus usus retinendi curatos in officiis regum reprehenditur a sancto Thoma Cantuariensi, qui factus episcopus resignavit officium Cancellariæ Angliæ, quamvis rex Angliæ dixit sibi quod episcopus in Francia fuit cancellarius cum rege Franciæ et aliùs episcopus cum imperatore Alemaniæ.

Item sanctus Martinus Turonensis episcopus dixit Cæsari Galliæ, Maximo nomine: 'Si episcopi,' inquit, 'tuo lateri et curiæ assistentes, in suis curis et diocesibus recte ministrarent et sua officia perficerent, tot mala reformanda in tuo regno non essent.' Absencia enim nautæ est causa periclitacionis navis ex testimonio philosophi in politicis.

[p. 331.] Item videtur jam in uno regno, ubi sunt plures jam episcopi in officiis regis occupati, quod multa mala crescunt in regno et in suis diocesibus per eorum absenciam et defectum, et pauca vel nulla mala cognoscuntur esse reformata in regno, quamvis sunt in officiis regni et in consiliis regum. Si enim pro Domino militarent, fructus magnus laboris eorum appareret et permaneret.

[p. 333.] Henricus quartus rex Angliæ quæsivit ab Henrico Bowet archiepiscopo Eborum, 'Quæ,' inquit, 'est causa quare episcopi jam in diebus nostris non transferantur post mortem suam propter famosa

miracula sicut olim fuerunt?' et, tacente episcopo, unus clericus astans dixit regi, 'Si vultis, domine, ut dicam, dicam quatuor quæ videntur esse causæ hujus;' et libenter rex concessit, 'Una,' inquit clericus, 'causa est quia olim Deus per ostensionem alicujus signi ostendit, quis fuit dignior aliis hominibus episcopatu merito scienciæ et bonæ vitæ, et tunc pro sic electis Deus in vita eorum et post mortem fecit miracula; sed jam per mundanos et vos reges eliguntur qui vobis placent in episcopos, et talia miracula qualia vos reges facitis, talia faciunt episcopi per vos constituti. Item olim reges genuflexerunt, rogantes sanctos viros et scientes acceptare onus episcopale, eo quod perfectiora opera requirit quam alicujus religionis privatæ, et ideo quiscunque religiosus professus potest eligi ad episcopatum, et tunc rogati cum magna difficultate susceperunt pro salute animarum onus episcopale, et tunc fuerunt translati post mortem propter eorum miracula. Item olim sancti episcopi, considerantes onus episcopatus in quo fuerunt, non optabant transferri de episcopatu in episcopatum propter majores divicias, sed nunc sunt ita sæpe translati de episcopatu in episcopatum dum vivunt, quod non merentur transferri post mortem per ostensionem miraculorum. Item jam in istis diebus emunt ita care suas translaciones et suos episcopatus dum vivunt, quod non sunt digni transferri post mortem suam nec ut Deus operetur per eorum merita opera miraculosa.' Et dixit clericus ad regem, 'Vos enim, domine, novistis unum qui dedit ij°. milia mercarum uni domino terreno ut translatus esset de episcopatu suo in archiepiscopatum.' Et rex contentus fuit responsione clerici.

Episcopi solebant, ut patet in vita Sancti Cuthberti, de Sancto Cuthberto, episcopo Lindisfarnensi, humiliter et familiariter loqui cum suis subditis et qualibet die dare optatam audienciam suis subditis quærentibus loqui cum episcopo suo. Et nuper unus pauper venit ad famulum cujusdam archiepiscopi, filii unius domini terreni, dicens, 'Miror quod archiepiscopus non præbet audienciam suis subditis in

propria sua persona, sicut solebat predecessor suus.' Et respondit famulus episcopi dicens, 'Dominus meus modernus archiepiscopus non fuit nutritus in eodem modo in quo fuit nutritus suus predecessor;' significans per hoc quod dominus suus archiepiscopus, qui fuit ita extraneus et elongatus suis subditis, fuit filius domini et predecessor suus qui fuit archiepiscopus ante eum fuit filius pauperis: et respondit ille pauper prædicto servo archiepiscopi, 'Revera,' inquit, 'archiepiscopus modernus et predecessor suus nutriti fuerunt in diversis modis, sed manifeste patet per opera quod predecessor fuit melior vir et magis utilis suis subditis et eorum animabus et toti diocesi.'

[P 334.] Episcopi habent curam superintendenciæ circa ea quæ inferiores curati operari non possunt, ut est ordinacio sacerdotum. Item habet curam immediatam parochiarum suæ diocesis quando potest cooperari et coagere cum inferiori curato, qui est eciam curatus immediatus parochiæ. Sic cooperatores dati sunt Moisi ut sustentarent cum eo et non solum pro eo onus populi et ne ipse solus sic gravaretur. Hoc enim onus satis compatitur secum pluries, ut vacet episcopus curæ immediatæ et non solum curam superintendenciæ; hanc enim curam superintendenciæ oportet episcopum agere et curam immediatam non omittere quando adest facultas et requirit subditi necessitas; sicut Sanctus Paulus visitavit et docuit eos qui habuerunt curatos immediatos. Et si episcopi possunt sic curam agere facerent, quia onus divisum lenius portatur, quando unusquisque debito modo proprio officio vacat. Cura enim superintendenciæ et cura immediatæ attendenciæ compaciuntur semetipsas in una persona et in uno homine, ut diverso tempore uterque curæ vacare possit. Episcopus enim habet curam immediatam et per se ipsum curam ageret prædicando parochiis suæ diocesis; ipse enim curam illius diocesis gerit, ut per se ipsum agat quæ necessaria sunt saluti suæ diocesis, sicut Moyses habuit cooperatores ut secum portarent onus, non pro Moise, ne ipse solus gravaretur onere curæ suæ. Oza enim Levita percussus est ad mortem quia non portavit archam

Domini super humeros proprios sed super humeros aliorum animalium, ut notat Sanctus Jeronimus super libros Regum in questionibus Hebraicis. Plures enim refutant prædicare, quia difficile est attingere ad modum et ad formam usitatam per modernos prædicatores, quorum labor major est circa formam et modum divisionum et concordancias vocales textuum quam circa declaracionem rerum utilium. Sancti enim viri et doctores, Jeronimus, Augustinus, et Crisostomus, solebant prædicare et dicere populo, 'Res volumus laudari pocius quam verba, et quæ concernunt materias contentas in evangelio hodierno, volumus, Domino cooperante, explanare vobis: exemplum evangelii lecti in die omnium sanctorum, ubi Xtus dixit, "Beati pauperes spiritum etc."' M^t^. quinto. Dicendum est ergo et explanandum de virtutibus contentis in illo evangelio, sc. de humilitate et de illis quæ humilitatem concernunt et sic de aliis contentis ibidem. Solent enim sancti viri dicere in præsenti sermone, 'Intendo loqui per graciam Dei de quatuor vel de quinque materiis necessariis, ut figantur in mente hominum auditorum, puta, de fide, spe, et caritate, et justicia, et misericordia.' Item solebant in sermone suo aliquando loqui de una materia et de illis quæ materiam illam concernebant, puta, de misericordia, et quid est misericordia, et quæ pertinet misericordiæ, et quomodo stat cum justicia et cum justa punicione peccati.

[p. 335] Nuper enim per unum episcopum amor peccati nutritur quia parochiani unius ecclesiæ dixerunt: 'Nunc credimus quod adulterium et fornicacio nullum est peccatum, quia si esset peccatum episcopus noster privasset rectorem nostrum a cura sua, quia episcopus novit quod rector noster publice captus est in adulterio cum propria parochiana, uxore alterius viri, et tamen episcopus non expulit eum ab illa cura.' Et etiam Oxonia admisit eum postea ut esset doctor decretorum et ibi plures violavit; et sic ex actu episcopi et ex actu Oxoniæ recipientis bonos et malos ad gradus suppremos scolasticos secuta sunt plurima mala et audacia peccandi. Plures

enim non timent peccare quia non punitur peccatum in aliis hominibus, et quia non puniuntur, credunt illud quod est peccatum non esse peccatum.

[p. 336] Magni meriti sunt qui contra præcepta regum et contra mundanorum litteras conferunt officia et ecclesias talibus hominibus quibus Deus præcepit in libris scripturæ officia conferri.

[p. 338.] Novi enim unum hominem xxv annorum in ætate, et est quasi fatuus naturalis a sua juventute et fere cotidie ebrius, et hiis non-obstantibus promotus est in ecclesia ad unum magnum archidiaconatum, et ad xij præbendas in diversis ecclesiis, et tamen nescit loqui congrue Latinum, et unus laicus recipit omnia bona sua et nullum dat ei compotum, quia non est capax compoti; et idem laicus retinet omnia bona istorum beneficiorum et exhibet prædictum fatuum ad communas in domo alterius, et nunquam mansit nec aliquod bonum fecit in aliqua præbenda sua, quamvis habuit xij præbendas simul, nec unquam visitavit suum archidiaconatum, quia nescivit recte loqui, nec recte operari.

[p. 339.] Novi enim unum hominem, valde inhabilem ad sacerdocium, qui dedit mille marcas et quadrigentas pro una provisione sibi acquisita et concessa a papa Eugenio, et pro execucione ejusdem provisionis in uno decanatu, et tamen non obstante provisione, et eciam regis sui mandato, qui mandavit capitulo excommunicacionem fieri, non optinuit nec habuit eundem decanatum, et pluribus pecuniis effusis, idem inhabilis factus est episcopus, et dimisit jus suum ad illud decanatum, et ille qui electus fuit in decanum, qui non fuit provisus per papam, factus est ibidem decanus, et quidam episcopus malæ memoriæ dixit regi illius regni in quo hæc acta sunt, quod opus bonum fuit et meritorium tali viro episcopatum concedere, ut inter ipsum provisum et alium electum in decanatum sic finiretur, et ut excommunicacio illorum, qui electo in decanum consenserunt et provisum ab execucione suæ provisionis impediverunt, finiretur; et sic per pecunias datas, qui excommunicati fuerunt ab homine absoluti erant ab homine; sed

penitus mala fuit reformacio malorum quæ ex tali provisione sequebantur in isto facto evidens fuit, quia pro parvo malo evitando, sc. lite et accione inter istos duos prætensos decanos factum est magnum malum, sc. cæcus episcopus ordinatus est, qui cæcum populum ducet in foveam culpæ et pœnæ, quia manifestum fuit quod cæcus fuit vita et in ignorancia, et in curia temporali in suis deliciis vacans. Væ eis qui ita inconsiderate conferunt ecclesias et officia tali conferenti indigne ecclesiam seu regimen populi!

[p 343.] Novi enim nuper in Anglia homines pessime promotos, qui habuerunt licenciam a rege Henrico sexto ut laborarent papæ Romano pro provisione, et quod illam acceptarent, et sic per provisionem factam Romæ in diebus meis facti sunt plures episcopi et abbates et decani sine eleccione quacunque, excepta eleccione papæ, quæ vocatur provisio.

Anno Domini incarnati millesimo quadringentesimo quadragesimo vij° prædicavit Londoniæ ad crucem sanctissimi Pauli Reginaldus Pecok, Wallicus origine, et episcopus Assavensis in Wallia, postea Cicistrensis episcopus, qui per Henricum sextum, regem tunc juvenem, instancia duorum virorum factus est ibidem episcopus, quamvis antea ab eisdem multum oditus fuit et hæreticus reputatus a multis. Scripsit enim continue quasi per viginti annos tales materias in lingua Anglicana ex quibus, ut creditur, pessima mala oriuntur, et occasionaliter orientur; qui doctor fuit in Oxonia per graciam absurdam. Nunquam enim respondit alicui doctori pro forma sua, ut esset doctor, nec aliquem actum in scolis fecit in Oxonia, postquam incepit in theologia. An postea faciet nescitur a nobis. Per omnes annos a die incepcionis suæ in Oxonia usque ad diem præsentis scripturæ nullum actum fecit scolasticum, nec legendo, nec prædicando, nec disputando, nec determinando. Iste Reginaldus episcopus prædictus, prædicans ut præfertur ad crucem Sancti Pauli, affirmavit et asseruit in suo sermone, et per indenturas in Anglicana scriptura scriptas tradidit diversis per-

sonis post sermonem istas conclusiones, plurium malorum et abusionum causativas, in Anglia et alibi. Nullus scit probare quod episcopus in hoc quod est episcopus obligatur prædicare in sua propria persona vulgo suæ diocesis; accipiendo istud sermonem prædicare in sua maxima famosa significacione.

Item posuit quod episcopi non debent tenere se ipsos esse obligatos ad prædicandum in propriis personis suis communitati propriæ suæ diocesis, in eo et pro eo quod sunt episcopi superiores aliis curatis, sed tenentur tenere se ipsos liberos et solutos ab isto onere prædicandi, verbis positis in ista conclusione acceptis famosissimis significacionibus.

Item episcopi in hoc quod sunt episcopi debent habere scienciam in illis materiis quas curati inferiores debent prædicare vel docere, et debent habere majorem scienciam in tunsione et solucione magnarum quæstionum quam debent habere curati inferiores, in hoc et per hoc quod sunt curati inferiores.

Item episcopi habent proprietatem ad resumendum et assumendum sibi et ad dimittendum quando volunt officium et opus prædicacionis, consimiliter sicut habent proprietatem ad resumendum et ad accipiendum quodlibet ad opus curæ pertinens infimo et immediatissimo curato quando volunt, sic quod per hoc episcopi non sunt impediti a meliori opere suo ordinariæ curæ, quod per eos fieri debet, et quod non potest ordinarie fieri per alium curatum.

Item episcopi possunt per diversas causas esse absentes a suis diocesibus et non residentes in suis diocesibus excusatorie et meritorie et cum graciarum accione penes Deum, et aliter peccarent coram Deo durante tempore illarum causarum.

Item magis utile opus potest fieri animabus hominum quam est opus prædicacionis, isto termino prædicacione accepto in sua famosa et usitata significacione.

Item nec papa nec episcopi Angliæ sunt Simoniaci in hoc et per hoc quod recipiunt a papa suos episcopatus per provisionem et

solvunt primos fructus suorum episcopatuum. Istas conclusiones, quæ sunt plurimorum malorum origines et occasiones, prædicavit prædictus Pecok episcopus prædicto anno domini 1447 ad crucem Sancti Pauli Londoniæ et tradidit eas scriptas in Anglico, episcopo Norwicensi, suo fautori, et episcopo Cicestriæ, et magistro Vincencio Clement, doctori insolenti, qui Oxoniæ in theologia incepit in ordine diaconatus existens, gradu suo optento minis et promissis, et diversis litteris regiis et brevibus regiis missis contra eos qui in magna congregacione regencium et non regencium in Oxonia graciam suam petitam ex sua consciencia negaverunt.

Antequam deveniam ad improbacionem primæ 2ᵉ et 4ᵉ conclusionis, invocata Spiritus Sancti gracia, ostendam tres causas præcipuas hæresium et errorum. Prima est quod non volunt homines sequi sacrarum scripturarum auctoritatem sed humanæ racionis sensum, teste sancto et celesti doctore Jeronimo super Oseæ prophetiam capitulo vii° textus.

Secunda causa est, quod non humiliter se retinent infra terminos sanctorum patrum, sed transferunt se ipsos ultra sanctorum testimonia, et philosophiam naturalem false applicant ad suum intentum. Omnes enim hæretici antiqui hæreses suas fundaverunt et argumenta sua in dictis philosophorum gentilium, sicut Ennomus posuit, quod natum est habet esse post non esse; Verbum Dei, quod ponunt Xtiani esse natum, ergo habet esse post non esse, et sic consequitur: Verbum in divinis est pura creatura. Manichei, ut evitarent inconveniens, posuerunt magnum inconveniens, ut enim Deus unus non esset auctor malorum, posuerunt duos deos, unum celestium, alium terrestrium, et sic omnes rivulos argumentorum suorum ex dictis philosophorum trahebant, de quibus dicit apostolus ad Romanos quod propter magna peccata tradidit eos, i.e. tradi permisit in reprobum sensum, i.e. in falsum intellectum, ut falsum affirmarent quod verum erat; et æqualiter hæc secunda causa patet per sanctum Jeronimum super Naum prophetiam, capitulo iii°.

Tercia causa hæresis fuit, quia plures videntes plures asserere unum, et æque plures homines asserere contrarium, non credebant vero propter diversitatem opinionum et contraria dicencium, et sic non noverunt nec crediderunt verum nec opere impleverunt; et sic vocem proximi sui in ædificio turris Babilonis nullus intellexit, i. e. verum intellectum non recepit propter confusionem errorum et opinionum contrariarum: et hæc 3ª causa hæresis patet per sanctum et venerabilem Bedam, doctorem et monachum Anglorum, super Genesim Accæ episcopo, capitulo xi; hæretici enim vagi errant, nunc ad has nunc ad illas sentencias transeuntes, non enim eis placet quod semel receperunt, sed semper vetera mutant novis, et ethnicorum imitantur errores. Hæc sanctus Jeronimus super Oseæ prophetiam capitulo ix°; et ego, doctor et cancellarius Oxoniæ, novi quod iste prædictus episcopus Reginaldus per plures annos solebat plura scribere, et semper postquam scripta erant, propria sua manu cancellavit omnia, dicens seipsum reperisse quod falsa et inepta prius scripserat, et sic scribendo et eciam in consiliando sæpissime revocavit ut falsa, quæ prius scribendo et dicendo asseruit esse vera, et sic apparet Salomonis dictum, 'Stultus ut luna mutatur;' et sic omni vento circumfertur et movetur et doctrinis variis abducitur. Iste Reginaldus Episcopus Assavensis in Wallia valde fuit dispositus ad lepram corporis et plures de parentela sua fuerunt corpore leprosi; eciam iste episcopus fuit leprosus in mente, i. e. hæreticus fama plurium fuit. Nuper unus quasi xx^ti^ annorum scolaris in grammatica Oxoniæ, qui existens in habitu seculari accusatus fuit regi Angliæ Henrico sexto de diversis et pessimis hæresibus et quod comedebat carnes omni feria sexta, et traditus episcopo Lincolniensi domino Willelmo Alnewyke, incarceratus fuit in Wallyngforth et coram episcopo abjuratus factus est monachus Abendonæ, et ibi confessus est manifeste coram abbate Willelmo quod omnes hæreses suas et errores recepit et didicit ab ore prædicti Reginaldi episcopi et a nullo alio, et hæc esse vera coram prædicto

abbate juravit, sicut Deus illum adjuvaret et sancti Dei evangelia. Tum per aliquos et paucos amicos Reginaldi intimatum fuit regi Angliæ quod predictus Reginaldus, tunc non episcopus nec doctor pro tunc in teologia fuit non reus, sed omnino immunis, et iste Reginaldus, qui absque forma aliqua debita in Oxonia ad incipiendum in sacra theologia factus est doctor, ibidem per graciam non rexit post doctoratum nec aliquem actum scolasticum ibidem fecit post doctoratum, sed plures libros Anglicanos per viginti annos edidit et scripsit, et notum est pluribus quod eosdem cancellavit manu sua propria, ut falsos libros, et postea jam, ut dicitur a diversis, plures edidit et scripsit libros in Anglico pejores prioribus, unde contra libros suos Anglicanos, si mali reperti fuerint, cum venerint in lucem et in noticiam, Deus inspiret corda doctorum, et contra prædictam conclusionem primam, quod episcopi, eo quod episcopi, non tenentur publice prædicare suo populo seu diocesi arguitur sic. Inter omnes actus quos Dominus præcepit ab apostolis fore exercendos prædicacio fuit præcipua, eo quod ex actu illo maxima bona animarum pervenerunt et hoc in brevi tempore. Nam una die 3ª milia et alia die quinque milia hominum per prædicacionem verbi Xti conversi fuerunt ad Xtum, ut patet Actuum iij° et iiij° capitulis.

[p. 349.] Item ostenditur sic quod episcopi tenentur prædicare. Episcopi olim fuerunt curati immediati, sicut jam sunt rectores parochiales et vicarii, olim enim una ecclesia seu una villa habuit unum episcopum suum rectorem et secum cooperatores presbiteros, qui ei dati erant in auxilium, ut levius onus portaret, et ut cum eo coagerent; non autem excusatur episcopus, eo quod superintendens est curæ, ab actu inferioris curati necessitate urgente, quia utrumque actum diversis vicibus et interpolatis vicibus potest perficere.

[p. 352] Ego enim, doctor Thomas et Cancellarius Oxoniæ, regens ibidem per xii annos in sacra theologia, dum vixero plangere opto coram Deo, eo quod ex judicio meo debitæ prædicacioni verbi Dei

non vacavi nec tam sepe prædicavi ut potui, quamvis nullam ecclesiam seu præbendam vel dignitatem ecclesiasticam per tunc habui sed ex patrimonio patris mei Ricardi Gascoigne Eboracensis diocesis vixi, pro cujus anima et matris meæ Beatricis laus Deo vero semper in gloria. O si videret prædictus Assavensis[1] Reginaldus Pecok quot bona pervenerint ex una prædicacione! Et quociens sanctus Papa Gregorius, magnis infirmitatibus detentus, prædicavit in persona propria, ut patet in Omelia sua 20ª et 21; et quando non potuit bene loqui fecit sermonem suum per notarium coram populo legi! Iste, tum episcopus Assavensis, eodem anno domini m^mo^ cccc^mo^ xlvii in ecclesia Sancti Pauli Londoniæ et apud Lamehith Londoniæ coram archiepiscopo Cantuariensi Stafforth, doctore legum, et coram episcopo tunc Cicestrensi, Adam Mulens, doctore legum, et coram episcopo Wintoniensi, Willelmo Waynflet, bacalaureo sacræ theologiæ, dixit quod episcopus tenetur prædicare, sed non in quantum episcopus, et archiepiscopus Cantuariensis et Cicestrensis sic dixerunt: 'Nos scimus quod episcopus tenetur prædicare ex debito officii sui;' et hoc idem plures doctores sacræ theologiæ tunc Londoniæ existentes dixerunt, et probaverunt et pluries Londoniæ prædicaverunt; et episcopo Assavensi dicente coram prædictis tribus episcopis, 'Episcopus tenetur predicare, sed non in quantum episcopus,' statim unus Bacalarius arcium Oxoniæ sic contra episcopum publice arguebat in præsencia ejusdem episcopi Assavensis et prædictorum episcoporum, 'Episcopus tenetur prædicare, sed non in quantum episcopus, ut vos dicitis, sed contra vos arguo sic, de licencia domini mei Cantuariensis hic presentis. Si in quantum dicat prescisionem tunc episcopus nec tenetur prædicare nec aliud opus facere, quia ut sic equinitas est tantum equinitas, si in quantum alio modo teneatur, tunc est verum quod nullus episcopus tenetur prædicare;' quo facto valde confusus et vericundus fuit Assavensis episcopus et surrexit. Dominus ergo Deus sit benedictus, qui destruxit et infatuavit consilium Achito-

[1] In margine 'postea fuit episcopus Cicestrensis,' eadem manu.

fel; ipse enim Reginaldus Pecok episcopus tunc Assavensis in Wallia concessit Londoniis palam, quod episcopi tenentur prædicare, i. e. olim tenebantur prædicare, sc. quando episcopi fuerunt curati immediati constituti in civitatibus, non habentes curatos immediatos sub se constitutos. Hæc dicebat idem episcopus, sed postea inquit, quando sub episcopis curati immediati constituti erant, episcopi non tenebantur prædicare quia tunc fuerunt ut episcopi, i. e. superintendentes curatis et subditis eorum.

[p. 360.] O episcopi, attendite et videte quomodo jam in hoc tempore per concessiones papales et indulgencias ab ipso vocaliter concessas quasi tota potestas vestra est exhausta et quasi destructa, et pura vigilancia videte an hoc fiat, vel propter abusum vestræ potestatis, vel per usurpacionem et cupiditatem Curiæ Romanæ et Romanorum curtesanorum! Nuper enim novi quomodo episcopus Cicestrensis, Magister Ricardus Praty, doctor sacræ theologiæ Oxoniæ, quendam vicarium pessimæ famæ et nequam vitæ excommunicavit et beneficio privavit, et idem vicarius ipsum episcopum, post longam vexacionem in Curia de Arcubus Londoniæ, requirebat episcopum sub magnis pœnis ipsum absolvere a sentencia excommunicacionis virtute potestatis absolvendi concessæ a papa Eugenio cuicunque ydoneo sacerdoti pro quolibet existente de paternitate domus Sancti Antonii Londoniis, et episcopus nunquam hoc fecit sed ipsum excommunicatum privavit vicaria, et nunquam per rogatum comitis Arundel et aliorum ipsum restituit, sed a diocesi sua nequam pecus ejecit, dicens, 'Hæc litera, quam dicis, tibi concessa a papa enervat omnem potestatem concessam a Domino episcopis, quia ex illo concessu sequitur quod quiscunque malus erit absolutus ab episcopo, velit, nolit episcopus, vel aliter episcopus incurrat offensam papæ et sic episcopus quilibet absolvet pessimum tirannum pro ostensione bullæ papalis sive quocunque alio medio requisito ad absolucionem vestram coram Domino. Item,' inquit idem episcopus, 'non sequitur me debere te absolvere, quia

habes bullam papalem qui fallere potest et falli, quia novi quod in Curia Romana, postquam papa aliquam peticionem sibi factam concessit bullari sub hac forma "fiat" vel sub hac forma "fiat ut petitur," tunc cubicularii papæ et camerarii et astantes, avariciæ veneno inebriati, faciunt bullas augendo et diminuendo clausulas in bulla, quæ nunquam papa novit nec concessit nec concedere potest acceptorie coram Deo, et ideo,' inquit episcopus, 'non faciam secundum bullam tuam, quia credo quod papa vocaliter ista non concessit, et scio quod realiter concedere non potest, potestas enim sua data est sibi a Xto ut liget quod est ligabile recte ab homine, et ligare et solvere sine consensu hominis quicquid in actibus humanis; pertinet vero cultui Dei augmentando et animarum veræ saluti, unde papa potest bonum curatum a cura expellere, ipso invito, ut meliorem coram Deo instituat, quare in hoc imitatur Dominum Deum, quia Barnabam in loco Judæ non elegit set Matthiam meliorem ad hoc officium recte exequendum. Et Moyses filios suos successores sibi non elegit, sed judicio Dei commisit, qui melius potuit et novit et melius voluit providere de pastore meliori, et sic Josuæ providit; quis enim sanæ mentis hoc affirmaret quod quilibet sacerdos requisitus ad absolvendum absolvere tenetur quemcunque qui per bullam papalem habet licenciam, ut absolvatur a quocunque ydoneo sacerdote? Si enim episcopus seu rector sic absolveret, male et abusive et injuste faceret, quia habet veras evidencias et argumenta quæ ad effectum veræ solucionis a culpa et a pœna per Deum fiendæ, nec impedimenta cessant nec requisita assunt, et sic tales vivificant animas quæ non vivunt, Ezechielis 13 ca°. i.e. asserunt eas vivere coram Deo vita graciæ falsæ tum dicunt.'

[p. 373.] Ejus legenda (S. Gregorii papæ) quæ legitur de eleccione Sancti Gregorii in ecclesia Xti Cantuariæ in vigilia translacionis Sancti Cuthberti iij^a^ die Septembris, tunc enim est festum ibidem de ejus eleccione sancta in papam.

[p. 375.] Væ, væ infelicitati temporis nostri moderni in quo superi-

ores vacant deliciis, et episcopatus et magna officia ecclesiæ habent sibi ipsis concessa, domini antequam vacent, et onera sua aliis committunt et ipsi non cooperantur, nec operibus melioribus et sanctioribus vacant, et omnes correcciones animarum fere destruuntur per appellaciones vel per inhibiciones Curiæ de Arcubus Londoniæ! In his diebus habet duodecim prebendas unus juvenis fatuus, quem novi, et unum magnum archidiaconatum in Anglia, et tum non est sacerdos, nec unquam erit habilis ut sit sacerdos, nisi Deus faciat miraculum; novi enim quod a juventute sua fuit et est fatuus naturaliter: et novi quod laici voluptuosi et in adulterio viventes habent bona sua et nichil ei tribuunt nisi quod eis placet. Heu, heu, Domine Deus, quia creavit ecclesiam malignancium!

[p. 379] Quis tunc annata solvit Romano pontifici antequam esset episcopus? Certe nullus; sed Johannes xxij° papa Romanus tales pecunias sedi Romanæ procuravit pro terra promissionis eripienda a manibus paganorum et gentilium, et postea pecuniæ illæ remanent cameræ Papæ, ut distribuantur inter cardinales et cubicularios Papæ et ejus ministros, qui jam, ut manifeste evidet ex eorum factis, plus faciunt pro pecunia recipienda quam fiant sancti patres instituti in ecclesia, quia deficiente pecunia denegantur bullæ papales quæ jam requiruntur episcopo, et confirmacio eleccionis, et omnis eleccio fere propria voluntate utinam non sine racione cassatur: et polluerunt templum Dei et posuerunt in manus eorum quos poma eorum tute custodire non credunt!

[p. 381.] Consimiliter Thomas Arundel Baccillarius arcium et Archiepiscopus Cantuariensis fecit cum suis constitucionem provincialem, ne aliquis non privilegiatus prædicaret populo sine licencia optenta episcopi, quæ jam non habetur nisi cum magnis instanciis aliorum vel pro pecuniis, nec episcopi debiti prædicant nec ad prædicandum alios exhibent nec mittant (*sic*), et iste Arundel cito post illam constitucionem factam de Verbo Dei alligando fuit obtrusus in

suo gutture quod non potuit nec bene loqui nec deglutire et sic moriebatur. Homines enim tunc crediderunt quod Deus ligavit linguam ejus in sua necessitate, quia tunc ligavit linguas quasi omnium prædicatorum propter paucos hæreticos qui tunc a prædicatione fuerunt suspensi, et episcopi jam indignantur quod homines dicunt, 'Talis doctor non episcopus optime prædicat, sed episcopus noster nec scit nec vult ita prædicare, et sic majora bona facit non episcopus quam episcopus.'

[p 382.] Episcopus Assavensis, postea Cicestrensis, Reginaldus Pecok, Wallicus origine, qui prædicavit Londoniis in loco crucis Sancti Pauli apostoli quod episcopi in quam episcopi non tenentur prædicare, ut iste terminus prædicare accipitur in sensu seu significato famoso, postea dixit et asseruit, ut michi dixit suus Capellanus Magister Johannes Orle, quod episcopi tenentur prædicare, i.e. veritates divinæ scripturæ publice dicere et ostendere, sed non tenentur, ut ipse dixit, prædicare modo nuper usitato, sc. accipiendo thema et introduccionem et divisionem thematis facere, sed tenentur prædicare veritates divinæ scripturæ aperte dicendo et declarando, ut dixit idem episcopus sicut michi dixit prædictus magister Orle sacræ theologiæ baccalaurius, et postea, ut michi dicitur, idem episcopus prædicavit et prædicari fecit in sua diocesi ita quod aliqui mirabantur, dicentes, 'episcopus iste jam prædicat publice ut ostendat facto suo contrarium illius quod prius dixit suo verbo.'

[p. 386.] Anno Domini Jesu m^{mo} cccc quinquagesimo ij° et iij°, rectores, vicarii, et sacerdotes in Wallia, habentes concubinas secum in domibus eorum commorantes dixerunt episcopo suo, Menevensi, i.e. Sancti David, ejus nomen fuit De la Bere[1], 'O domine episcope, nos sacerdotes diocesis vestræ timore Dei ducti et metu pœnæ æternæ futuræ peccatoribus, supplicamus paternitati vestræ, ut auctoritate vestra pontificali faciatis seu compellatis concubinas nostras recedere et in perpetuum separari a nobis et a domibus nostris; nos enim

[1] Previously Dean of Wells. Bishop of S. David's, 1447–1460.

optamus et obsecramus ut per vestram auctoritatem sic a nobis separentur et a domibus nostris, ut nunquam habeamus occasionem peccandi cum eis, nec ipsæ mulieres concubinæ occasionem peccandi habeant per nos cum iis cohabitantes!' et episcopus abhominabilis memoriæ respondebat eis, 'Non volo concedere quod concubinæ vestræ nec a vobis nec a domibus vestris separentur nec separari cogantur, quia tunc ego vester episcopus perderem annuatim quadringentas marcas quas recipio annuatim in diocesi mea pro concubinis sacerdotum; de quolibet enim sacerdote plurium sacerdotum recipio annuatim unum nobile vel ultra pro sua concubina, et illa summa sic annuatim recepta bursæ meæ contendit se annuatim ad quadringentas marcas, et ideo non volo eas a vobis separari.' Et sacerdotes dixerunt episcopo illi Sancti David in Wallia, 'O domine episcope, nos optamus illas separari a nobis, et ipsæ concubinæ non volunt separari a nobis, nec a domibus nostris, sed volunt manere in domibus nostris et nutriri bonis nostris, velimus, nolimus; et ideo, quia non audemus eas expellere propter metum suorum amicorum qui eis favent ut maneant in domibus nostris, ideo rogamus, ut per vos, domine episcope, separentur a nobis et a domibus nostris!' et episcopus dixit eis, 'Non volo compellere eas separari a vobis quia tunc ego episcopus vester perderem plures pecunias annuatim.' Et iste est episcopus De la Bere qui male fuit provisus in decanatum ecclesiæ Wellensis per papam Nicholaum quintum invito capitulo illius ecclesiæ, set non ibi receptus fuit eo quod timuit mortem suam ibidem violentam, et postea fuit pessime per eundem papam provisus in episcopatum Menevensem in Wallia, eo quod rex Angliæ Henricus Sextus, qui postea fuit alienatus a mente sua, licenciavit eundem, eleemosinarium suum De la Bere, acceptare papæ provisionem in decanatu Welliæ et in episcopatu Menevensi in Wallia, i. e. loci sancti Davidis episcopi.

[p. 387.] Johannes Kemp de Cancia, episcopus Roffensis, et postea Cicestrensis, et postea Londoniensis, et deinde Eboracensis fuit, et per

xxviij fere annos in quibus stetit archiepiscopus Eboracensis fuit totaliter absens a sua diocesi, manens Londoniis vel in Cancia, vel in aliis locis in Anglia remotis a sua diocesi Eboracensi, excepto quod aliquando semel in decem vel in duodecim annis mansit in sua diocesi Eboracensi per duas vel tres septimanas, paucis diebus vel nullis mansit in Eboraco, et in tempore suo palacium archiepiscopi Eboracensis defecit et fere ad solum ruebat, et ipsum palacium ipso existente archiepiscopo reparatum non fuit, et in recessu suo ab Eboraco, quando rex Angliæ Henricus Sextus et dux Summersettiæ Edmundus fecerunt eum archiepiscopum Cantuariensem, reliquit ecclesiam suam Eboracensem in magna perturbacione, sine remedio; post mortem enim decani Eboracensis, Feltar nomine, canonici ecclesiæ pacifice eligerunt Bermyngham in decanum suum Eboracensem, et in tempore eleccionis in capitulo duo mali canonici Eboraci et prior Sancti Oswaldi eligerunt extra capitulum juxta ymaginem sancti Christoferi in decanum ecclesiæ Eboracensis magistrum Ricardum Andrew secretarium regis Henrici Sexti, et facta appellacione per illos tres canonicos contra eleccionem veram Bermyngham factam in capitulo, rex Henricus Sextus illum Ricardum, qui fuit pessime et injuste a tribus extra capitulum electus, licenciavit sub sigillo suo ipsum Ricardum Andrew acceptare provisionem papæ, ut esset Eboracensis ecclesiæ decanus per provisionem papæ, ita quod papa Nicholaus quintus ipsum Ricardum in decanatum ecclesiæ Eboracensis provideret et eleccionem Bermyngham factam legittime per canonicos Ecclesiæ Eboracensis idem papa cassaret et revocaret seu adnullaret, et sic factum fuit Romæ per pecunias prædicti Ricardi. Et quia capitulum Eboracense ipsum Ricardum provisum per papam recipere in suum decanatum non voluerunt, ideo per bullas papæ Nicholai diversi canonici ecclesiæ cathedralis Eboraci excommunicati fuerunt, et ecclesia cathedralis exposita interdicto et suspensa per plures septimanas, ita quod nec matutinæ nec aliqua missa fuit in illa ecclesia per plures septimanas

nec vesperæ, et in ista perturbatione reliquit predictus Johannes Kemp suam ecclesiam Eboracensem, quum fuit factus episcopus Cantuariæ, et simul cum hoc cardinalis episcopus de Roma, et tum Romam non ivit nec quando fuit archiepiscopus Eboracensis et cardinalis presbiter, nec cum fuit archiepiscopus Cantuariensis et cardinalis episcopus, et malos et extraneos et curtesanos Romanos providit et elegit in magnas dignitates suæ ecclesiæ Eboracensis et in rectores suæ diocesis.

[p. 391.] Consimiliter diversi episcopi anno 1448 et 1449 favebant et verbis defendebant episcopum Assavensem, Wallicum origine, sc. Reginaldum Pecok nomine, qui primo prædicaverat Londoniis puplice ad crucem Sancti Pauli diversas absurdas conclusiones, quarum una fuit, ut episcopi non tenentur prædicare, et quod electi in episcopum, qui non possunt esse episcopi nisi prius solvunt 500 vel plures mercarum Curiæ Romanæ, non committunt tunc symoniam, nec peccant in dando pecunias illas Papæ et Curiæ Romanæ; et episcopi diversi ei favebant et unanimi consensu ei assistebant, idem affirmantes, sed nichil legebant nec in scriptis pro eo determinabant, quamvis diversi doctores puplice contra eundem episcopum contraria episcopis legerunt et determinaverunt Londoniis, et in universitate Cantabrigiæ, Oxonia metu displicenciæ episcoporum tacente. Sed duo clerici, qui pro parte episcopi Assavensis laboraverunt, defecerunt scrutantes scrutinio, quia intentum suum invenire nec probare in scriptura potuerunt sed absorpti fuerunt juncti petræ, i. e. confusi fuerunt cum facta fuit collacio inter verba et glosas illorum et dicta Xti et sanctorum contra eorum intentum.

[p 394.] Anno Domini 1449 et eciam antea, episcopus Assavensis, Reginaldus Pecok, qui postea fuit episcopus Cicestrensis, tenuit et puplice prædicavit quod nullus episcopus in hoc quod est episcopus tenetur prædicare, et fere omnes doctores Angliæ, tunc re et nomine famosi, contra eum dixerunt et scripserunt contra ejus falsam assercionem. Tum Oxoniæ in scolis puplicis per duos annos parum contra eum lectum vel disputatum fuit, et causam reputo fuisse defen-

sionem pontificum, quia defensio veritatis tunc per doctores tunc per malos episcopos non habuit per episcopos (*sic, supra*) prolatam sententiam; et ego magister Thomas Gascoigne, doctor sacræ theologiæ et cancellarius quondam Oxoniensis, manu mea propria subscribo prædicta esse vera, nam prædictus episcopus Reginaldus omnes textus sonantes, episcopos esse obligatos seu debitores ad actum docendi et prædicandi, ex proprio suo capite glosavit, dicens quod intelliguntur de curatis immediatis, sc. rectoribus ecclesiarum parochialium, qui tunc vocabantur episcopi, ut ipse episcopus Assavensis asserit. Item idem episcopus tenuit quod tempore Dionysii papæ, facta divisione parochiarum, omnes episcopi exuerunt se auctoritate propria ab onere priori, sc. ab actu prædicandi, et imponebant illud opus rectoribus, quod est falsum, et non consonum facto Dionisii qui hoc non fecit nec facere potuit stantibus paribus, sc. mandato Dei et illis quæ sunt necessaria ad salutem animarum.

[p. 396] Apostoli non exuebant se a doctrina verbi Dei in sua totali diocesi, quod est contra novellam doctrinam Reginaldi Pecok, Wallici origine, tunc episcopi Assavensis et postea Cicestrensis, qui anno Xti 1447 hoc docuit Londoniæ in perniciem plurium et causam plurium malorum.

[p. 401.] Anno Domini incarnacionis 1449 et postea prædicavit Reginaldus Pecok Londoniæ ad crucem Sancti Pauli apostoli, quod episcopus non tenetur prædicare in hoc quod est episcopus, seu in quantum est episcopus, et eciam quod homo crederet racioni naturali potius quam auctoritati. Et de die in diem pejus et pejus tunc episcopis contigit in Anglia. Non (*sic*) puplicis officiis civilibus et terrenis vacantes, in suis diocesibus parum vel nullum bonum per annos fecerunt et suggerente populo vulgari episcopus Cicestrensis, Adam Mulens, occisus tunc fuit, et Willelmus Asku, episcopus Sarum, occisus fuit tunc, eo quod confessor Regis Henrici Sexti et defectus circa regem non emendavit nec a rege propter defectum emendacionis recessit, et ante

ipsum regem Henricum Sextum solebant reges Angliæ maturos doctores theologiæ, exutos a cura alia, eligere in suos confessores, et episcopi suæ curæ tunc vacabant, sed in tempore Henrici Sexti Stafford, episcopus Cantuariæ, et bastardus origine, fuit Cancellarius Angliæ, Adam Molens episcopus Cicestrensis fuit custos privati sigilli et occisus fuit; episcopus Norwicensis Walterus Lyard de Cornubia fuit confessor reginæ residens in curia, et episcopus Carlionensis et postea Lincolniensis Marmaducus Lunle fuit thesaurarius Angliæ, et indignus episcopus Cestriæ, Buth nomine, fuit tunc cancellarius reginæ Margaretæ Angliæ.

[p. 403.] Consimiliter jam Anno Domini 1450 possunt dicere in Anglia subditi suis capitibus diversis: 'Erubesce, O episcope! O rector! O judex! quia si intrasses per Deum in curam tuam et officium tuum debite fecisses, hæc mala non fuissent hic facta in tuo populo, et si fuisses hic in tua cura et officio debite, frater tuus non fuisset mortuus, i.e. fratres tui tot et tanti non fuissent sic mortui in peccatis!' Jam enim sinit (Deus) occisiones episcoporum et sacerdotum, et spoliacionem bonorum ab hiis qui divites nominantur, et defectus correccionis propter cupiditatem judicum et crudelitatem, et ista et plura mala inundaverunt in Anglia ex quo episcopi Angliæ faverunt episcopo Assavensi, postea Cicestrensi, Reginaldo Pecok, Wallico, qui Londoniæ prædicavit puplice et pluries asseruit, et scripsit, quod episcopi non tenentur prædicare populo in hoc quod episcopi sunt, et quod episcopi sunt exuti a cura illa et a cura animarum, in hoc quod instituunt alios curatos, et quod antiqui episcopi prædicabant antiquo tempore eo quod fuerunt episcopi, i. e. curati immediati, sive rectores, vel curati, et concessit Londoniis quod episcopus non potest prædicare in ecclesia parochiali suæ diocesis, sine licencia rectoris, vel vicarii illius ecclesiæ. Hoc concessit ille episcopus doctori Millyngton de Cantabrigia, qui fuit doctor sacræ theologiæ de comitatu Eboraci, egregie determinans contra episcopum prædictum. Episcopus dicit quando admittit sacer-

dotem in curam animarum, 'Trado tibi curam animarum, sicut respondebis pro eis et pro me coram Deo.' Sacerdos admissus ad curam animarum respondebit pro illis an, sc. fecit quæ curæ suæ debuit, et respondebit pro episcopo an, sc. fecit in cura quæ episcopus non potuit facere per seipsum per cotidianam curam, et respondebit pro episcopo an fecit quæ episcopus ei recte præcepit tanquam cooperatori cum episcopo. Episcopus tamen, superintendens curæ tocius suæ parochiæ seu diocesis suæ, respondebit coram Deo pro se et pro diocesi sua, et quia ætatem habet respondebit pro se et pro parte sua et pro actibus personæ suæ pertinentibus. Ungere enim pueros et confirmare, et dicere, 'Admitto talem virum in curam animarum,' est opus facile nec magnam requirit noticiam nec scienciam, sed opera vera episcopi magnam scienciam et vitam sanctam exigunt, veraciter enim dicere talia verba requirit graciam et scienciam.

[p. 404.] Anno Domini 1449° prædicavit Reginaldus Pecok episcopus Assavensis, et postea, per media Willelmi Pule ducis Suthfolciæ, episcopus Cisestrensis, prædicavit (*sic*) Londoniæ, quod episcopi, in quantum episcopi, non tenentur prædicare, et aliis episcopis in hoc sæpissime faventibus et dicentibus pompatice, 'Iste excellens clericus et episcopus defendet opera quæ nos episcopi facimus;' mox in odium tocius regni deducti sunt episcopi, omnibus fere statibus et personis clamantibus: 'Væ episcopis! qui ditantur, qui volunt vocari domini, et ut eis serviatur genibus flexis, et equitant cum tot et tot pomposis equis, et nichil volunt facere prædicando verbum pro salute animarum; aut enim nesciunt prædicare episcopi, aut non possunt prædicare, negociis sæculi aut deliciis corporis impediti, aut quia non possunt vere prædicare, nisi prædicent illa mala in quibus vel pro quibus ipsi episcopi sunt rei, nec bona opera prædicant, quæ episcopi non faciunt, sed negligunt, et talia bona operantes derident, vel non ponderant.' Hæc fuit vox communis in clericis et in populo de episcopis, et de die in diem surrexerunt plurimi in populo; et occiderunt episcopum Cicestrensem, Adam Molens, et

episcopum Sarum, Willelmum Asku, et persecuti sunt episcopum Cestriæ, Buthe nomine, et episcopum Norwicensem, Walterum Lyart, et rectores et vicarios diversos in Cancia, et juxta Sarum et Hungyrforth spoliaverunt; et eodem anno intravit dux Eboraci in Angliam ab Hibernia, in qua tunc fuerat, contra voluntatem suam, ex mandato regis Angliæ Henrici Sexti, et revera ex quo prædictus episcopus Reginaldus Pecok et alii episcopi per regem intrantes dixerunt, quod episcopi non tenentur prædicare per seipsos vocaliter, Deus omnipotens prædicavit in Anglia realiter, puniendo realiter et puniri permittendo episcopos in Anglia, quorum diversi in Anglia occisi sunt anno Domini 1450, aliqui mortem cotidie tunc expectaverunt, et aliqui de bonis suis terrenis spoliati sunt, et domus eorum destructæ et ad terram projectæ fuerunt. Eodem anno et legistæ cupidi cum eis manentes occisi fuerunt, et incarcerati, et de bonis spoliati; et anno Domini 1450 dixit michi Magister Johannes Horley, capellanus prædicti episcopi Reginaldi Pecok, quod episcopus est jam istius fidei firmæ quod episcopi tenentur prædicare vocaliter, sed non tenentur prædicare modo usitato, et infra ducentos annos per novellos prædicatores inducto, sc. accipiendo thema et uti induccione thematis per narracionem materiæ, quæ concludit verba thematis repeti et recitari, et tunc divisiones facere, quo modo antiqui sancti non utebantur, ut patet in sermonibus et in omeliis Sancti Augustini et Sancti Bernardi, qui prædicabant clero et populo postillando et exponendo textum alicujus apostoli secundum ordinem textus et aliquando prædicabant, non postillando, nec exponendo textum alicujus capituli, sed declarando, quando declarabant, articulos pertinentes illis materiis, quas absque aliquo themate proponebant coram clero seu populo declarandas per racionem et per scripturam.

[p. 406.] Sic anno Domini 1450, quando surrexit communitas Angliæ in diversis locis contra ecclesiasticos, præcipue Ricardus episcopus Sarum, et Gilbertus, decanus illius ecclesiæ de Sarum, et alii cum eis dixerunt, 'Si prædicatores non fuissent, homines non surrexissent contra

ecclesiasticos;' et hoc falsum dicentes voluerunt sacerdotes et episcopi, quod quæcunque ipsi dicunt et faciunt, dicerentur in populo esse bona; et tales non considerant, quod ideo sunt episcopi et sacerdotes in contemptu et in odio, quia vitam bonam exemplarem non ostendunt, nec doctrinam populo præbent, sed pecunias colligunt, et in suis ecclesiis nec resident, nec hospitalitatem tenent. De talibus dicit Deus in Malachia 2°, 'Irritum fecistis pactum Levi,' etc.

[p. 407.] Communitas enim in Anglia surrexit contra ecclesiasticos anno Xti 1450, quia episcopi et rectores in suis curis non residebant sed in domo regis et dominorum; Item quia hospitalitatem non tenuerunt; Item quia verbo et sancto exemplo non prædicabant; Item quia in magnis peccatis habundabant, et eciam in diviciis et in pompis; Item quia defecit justicia et correctio peccati, quam ipsi curati et episcopi fecissent, si necligencia et munera et timor displicenciæ eos non retraxissent; Item quia justicia defecit in dominis et in judicibus, et querelæ factæ fuerunt per plures injuriam pacientes sed remedium non habuerunt nec reformacionem mali; Item pluralitas beneficiorum, et appropriacio ecclesiarum parochialium, et empcio beneficiorum fuerunt præcipuæ causæ, ut dixerunt, suæ insurreccionis in regno tunc Angliæ; Item propter penuriam magnam surrexit tunc populus, quæ per cupiditatem existencium circa regem et per defectum justiciæ et ex causis prædictis habundavit in Anglia illo tempore. Novi enim unum fatuum qui habuit unum magnum archidiaconatum et xij præbendas magnas. Item novi tunc medicum nuptum, et uxorem suam relinquentem, retinere duos magnos decanatus, et unam magnam rectoriam, et duas præbendas magnas, et vix in uno beneficio residens fuit et nunquam in aliis, et contra tales 'canes mutos' loquitur Ysayas ca° 56° et Sanctus Jeronimus super textum ibidem.

[p. 409.] Et vidi illam (expositionem Grostete sup. ep. B. P. Ap. ad Tim.), Oxoniæ anno Domini 1450. In quo anno, in octavis Sancti Johannis evangelistæ, die dominica, ostendi in sermone meo in Oxonia in

ecclesia Sancti Martini in Quadrivio, quod beatus doctor Augustinus prædicavit 400 sermones ad clerum et ad populum, absque aliquo themate et absque textus assumpcione in principio sermonis sui, et sic ego prædicavi die et anno prædictis in Oxonia nullum thema accipiendo, nec textum ad repetendum vel ad concludendum assumendo, sed materias utiles, ut credidi, populo ministravi tunc, et declaravi in illo sermone meo Oxoniæ absque quocunque themate et absque repeticione alicujus textus, sed textus ad materias propositas pertinentes exposui et declaravi. Modus enim prædicandi per divisiones et per thema incepit circa annum Domini millesimum et fere ducentesimum, ut patet per auctores talium sermonum.

Reginaldus Pecok, qui prædicavit Londoniis quod episcopi non tenentur prædicare, ut iste terminus prædicare accipitur in sensu famoso, postea dixit, ut asserunt sui, quod episcopi tenentur prædicare, sed non illo modo quo moderni prædicant, sc. sumendo thema et inducendo divisiones thematis assumpti, quo genere prædicacionis scimus homines non obligari. Ille enim modernus modus prædicandi intravit postquam ordines fratrum ecclesiam intraverunt, sed prædicare materias assumptas declarando, et textum scripturæ sacræ secundum ordinem textus postillando, seu exponendo, fuit modus prædicandi sanctorum patrum, ut patet in sermonibus Sancti Augustini, et in omeliis Sancti Augustini supra Johannem, i.e. in sermonibus ejus ad populum, in quibus exponit textum evangelii diversis diebus lecti, et idem patet in sermonibus sancti doctoris Bernardi. Et doctor Willelmus Milyngton, Eboracensis diocesis, de Clara Aula Cantabrigiæ, dixit aperte, in sermone suo apud crucem Sancti Pauli Apostoli, cito post sermonem prædicti episcopi Reginaldi: 'Sub pœna capitis mei manucapio quod regnum Angliæ non prosperabitur quousque faventes predictæ conclusioni episcopi Reginaldi digne corrigantur;' et hoc est creditum a multis bonis personis. Temporales viri et domini dixerunt de isto episcopo Pecok: 'Heu, quod nos sumus obligati per Domini præceptum ad docendum familiam

nostram, et tum iste episcopus dicit quod non tenentur episcopi ad docendum suam diocesim!'

[p 410.] Unusquisque potest videre, quod melius est quod diversæ ecclesiæ habeant diversos episcopos et rectores, quam diversas parochias habere unum rectorem; ut plures magistri impositum sibi onus curæ spiritualis ferre facilius et liberius possint, sicut Moyses divisit regimen populi inter plures magistros discretos, sc. 70: Exodi 18; et eciam sanctus papa Gregorius ordinavit hac de causa ut xij episcopi et xij dioceses essent ubi jam non est nisi unus episcopus et una diocesis. Hæc Sanctus Beda, doctor Anglorum, in epistola sua Egberto Episcopo Lindisfarniæ, Anglice Holyeland, i.e. sacra insula, et consimile habet libro primo de Gestis Anglorum, libro primo, ca° 29°. Et Actuum 13° Dominus dixit, 'Separate mihi Paulum et Barnabam in opus ad quod assumpsi eos,' sc. in opus evangelii et prædicacionis verbi Dei. Dominus enim novit quod isti duo episcopi et rectores in diversis locis existentes, plura bona facerent quam si unus rector utrumque locum occuparet, quia plures boni rectores in diversis locis existentes possunt magis proficere quam unus retinens diversas ecclesias.

[p. 416.] Est enim de malo patrono ecclesiæ, et de malo episcopo, et de malo rectore, sicut est de vicecomite et de ballivo, qui annuatim reddit compotum regi in scaccario suo Londoniis de annuali pensione sui officii. Reddito enim compoto petit ballivus alicujus civitatis, qui sic reddit compotum suum, acquietanciam ab auditore suo; sed auditor compoti negat ei acquietanciam quousque responderit cuilibet homini qui objecit scedulam accusatoriam contra eundem ballivum; unde auditor compoti sic obicit ballivo, 'Antequam acquietanciam habueris responde tali homini et tali viro, qui posuerunt accusaciones et scedulas contra te;' et reddet tunc ballivus se immunem de illis accusacionibus antequam acquietanciam receperit a suo auditore. Revera sic, in hora judicii coram Deo, reddito compoto et racione de actibus propriis, redditur racio coram Deo de malis operibus et de bonis omissis aliorum

hominum, qui peccaverunt per te et per mocionem tuam et exemplum malum et per tuam ignoranciam et necligenciam.

[p. 418] Consimiliter diceret episcopus, qui mittit vicarium vel rectorem animarum alicui parochiæ, vel decanum vel archidiaconum in curam vel in visitacionem spiritualem animarum, et consimiliter diceret rex et quilibet qui mittit in populum Dei judicem vel officiarium; diceret enim episcopus populo cui mittit novum rectorem vel vicarium vel officiarium cum Sanctissimo Paulo Apostolo, 'Spero autem in Domino Jesu Timotheum cito me mittere ad vos, neminem enim habeo tam unanimem, qui sincera affeccione pro vobis solicitus sit.' Sic rex diceret et quilibet patronus ecclesiarum et quilibet ordinator alicujus officiarii in populo Dei, 'Credo in Domino Jesu, quod ex gracia sua, qui dedit michi bene velle, me cito mittere ad vos, O parochiani! bonum curatum, bonum rectorem, bonum præsidentem, seu bonum officiarium et sufficientem, ad ea agenda quæ inter vos agenda sunt. Non enim habeo ego patronus ecclesiæ, nec ego episcopus, seu ego rex, non habeo tam unanimem virum, tam bonæ voluntatis, qui sincera affeccione pro vobis solicitus sit; sc. pro salute animarum vestrarum sicut iste est quem ego mitto vobis.' Jam, O Domine Jesu Xte! fac patronos et episcopos et reges tali modo dicere et vere facere, ut mittant veros operarios in vineam ecclesiæ. O Domine Deus! respice de cœlo, et vide et visita istam vineam ecclesiæ, quam plantavit dextera tua. Singularis enim ferus depastus est eam; i.e. inordinatus appetitus habendi ea, quæ nocent animæ; vastavit eam; i.e. plura mala induxit in ecclesiam.

[p. 419.] Sanctus episcopus, magnus Thomas Cantuariensis, fuit electus in episcopatum Cantuariensem Londoniis Westmonasterio per episcopos suos suffraganeos, et per monachos deputatos Cantuariæ, quando ipse Thomas Beket electus in episcopum Cantuariensem fuit ordinis diaconatus, et fuit electus in illum episcopum feria 4ª in ebdomada Pentecostes, et in Sabbato postea, sc. in vigilia Sanctissimæ

Trinitatis, fuit consecratus in sacerdotem, et in festo illius Sanctissimæ Trinitatis fuit consecratus in episcopum, et in crastino illius festi Sanctissimæ Trinitatis, sc. in die Lunæ, idem Beatus Thomas, tunc Cantuariensis archiepiscopus, sigillum regium quod ipse portavit cancellarius Angliæ misit regi Henrico 2°, tunc regi Angliæ, et illud officium Cancellariatus Angliæ dimisit et renunciavit, dicens seipsum episcopum non posse officio et debito illius archiepiscopatus debite vacare, nisi dimitteret officium Cancellariatus Angliæ, ex quo facto rex Angliæ iratus fuit contra Sanctum Thomam, qui Sanctus Thomas nullos solvit primos fructus seu annuata papæ Romano, quia nullus episcopus tempore illo Sancti Thomæ Cantuariensis solvit primos fructus seu annuata papæ Romano, nec antea. Postea tunc in tempore Papæ Romani, Johannis 22, primi fructus episcopatuum in Anglia, qui vocantur annata in curia Romana, solvi ceperunt, ex cupida ordinacione Papæ Johannis 22ⁱ et sibi adherencium in curia Romana; et sic jam inolevit in Anglia quod concensus Papæ Romani et ejus cameræ et concensus regis in Anglia, et certa millia pecuniarum constituunt episcopum quemcunque jam in Anglia, ut sit episcopus. Eleccio enim episcopi in Anglia hiis diebus nichil facit nisi nomine tenus tantum, et ideo episcopi non audent offendere regi et suis per quos constituuntur.

[p. 421.] In diebus Henrici 6ⁱ, Angliæ regis, diversi optinuerunt ab ipso rege sub sigillo suo licenciam, ut papæ Romani Nicholai quinti provisionem ad episcopatus acceptarent, et pro illa habenda a papa per licenciam regis laborarent, et ut papæ laborarent pro cassacione habita seu habenda pro aliqua persona alia quam pro illa persona, quam rex licenciavit ad acceptandum provisionem papæ. Et sic fuit episcopus Menevensis unus aularis regis vocatus de la Meer, et sic fuit provisus per papam in decanatum magnum Eboracensem quidam Ricardus Andrew, civilista, et sic fuit provisus per papam Nicholaum 5ᵐ in archiepiscopum Eboracensem Willelmus Buth, qui

fuit non sciens scienda, nec graduatus aliquo gradu in universitate, qui valde cupidus et insipidus reputabatur. Et quia ecclesia Eboracensis non voluit recipere in suum decanum prædictum Ricardum per papam provisum, sed Willelmum Bernyngham per capitulum electum, ideo prædictus Ricardus per pecunias Romam missas optinuit ecclesiam Eboracensem cathedralem per plures septimanas a papa Nicholao quinto suspendi a divinis omnibus officiis, et omnes ejus ministros excommunicari, et sic factum fuit per sentenciam soli—Deus scit an sentencia poli seu cœli;—et sic ponuntur in ecclesia et in populo Dei festucæ non columpnæ, i. e. pueri inhabiles, et ribaldi, et viciosi, et inscientes opera pro Deo fienda, quales constituit rex Israel maledictus a Deo Jeroboam, et dejiciuntur ab ecclesiis et officiis, qui sciunt Dei graciam, et volunt ædificare Syon, i. e. ecclesiam non in sanguinibus et in peccatis. Sed quia diversæ ecclesiæ in Anglia habent plura bona eis annexa et habentes illas ecclesias consequencia, ideo non volunt patroni et episcopi conferre talia beneficia nisi illis quos arbitrantur obsequium præstare illis secundum affectum eorum carnalem pocius quam ille qui scit et vult obsequium debitum præstare Deo.

[p. 423.] Si ita dicat beatus Paulus apostolus Timotheo; quibus pœnis affligetur coram Deo ille episcopus, qui Londiniis prædicat puplice quod episcopi non tenentur prædicare, et postea dixit quod episcopi tenentur prædicare, sed non tenentur accipere thema, et facere divisionem, ut ipse dixit? Ex scriptis et dictis illius episcopi non credo quod bona pullulabunt sed mala in pluribus actibus et verbis hominum, qui sic contra salutem animarum prædicavit Londoniis ad crucem Sancti Pauli circa annum Domini 1445.

[p. 424.] Anno enim Domini 1456, (quando magna victoria Dei fuit ostensa contra Turcos paganos in paucis Xtianis contra eos pugnantibus, occisis de paganis centum milibus et quinquaginta,) nec archiepiscopus Angliæ primas Thomas Bourcher, nec alii episcopi fecerunt actus puplicæ laudis, nec processiones ad Dei opera miraculosa mani-

festanda. Oxoniæ tum eodem anno processio generalis et cantus solennis, cum 'te Deum laudamus,'. in crastino Sanctæ Luciæ fiebat, et eciam sermo publicus unius antiqui theologi, cui propicietur Deus pro sua magna misericordia. Amen.

[p. 425.] Officium enim dandum est non vendendum, et dandum est pro virtute. Turpissimum est officium causa ullius alterius rei dare; quod est contra Oxonienses regentes qui, ut puplice et sæpe dicitur, vendunt officium bedellatus illis quos dicunt eligi in bedellatum, et tamen non dant nec eligunt plures regentes personam in officium propter hoc, quod habet necessaria ad illud officium, sed vendunt officium, ut novi.

[p. 426.] Sic proficiebat in malum, judicio plurium, episcopus Reginaldus Pecok, et sui discipuli, qui primo prædicabant Londoniis quod episcopi, in hoc quod episcopi sunt, non tenentur prædicare, et postea prædicaverunt ibi, quod dicta Sanctorum Jeronimi et Augustini et aliorum non sunt credenda, nisi sicut dicta vel scripta aliorum hominum viatorum, et tum Sancto

1. Dei Spiritu inspirati locuti sunt et scripserunt.

2. Item, majorem Dei graciam, i. e. donum, et majorem speculacionem habuerunt quam alii plures viatores.

3. Item, majorem experienciam et longiorem quam alii plures.

4. Item, si rem grandem diceret tibi talis propheta Dei, certe facere debueras, ut dictum fuit Naaman Ciro 4° Regum.

5. Item, dicta eorum apud antiquos patres dicebantur autentica, i. e. credulitate digna, ut dicit Lincoln super capitulum primum ad Romanos.

6. Item, beatus Augustinus ad inquisiciones Januarii dicit, quod ipse accepit responsum beati Ambrosii sicut oraculum cœleste, i. e. sicut responsum cœleste; ipsi enim sancti doctores erant propinquiores fonti sapientiæ, Jesu Xto, per sanctam eorum vitam, et Dei recipientes revelacionem. Nota bene dominum Lincoln, in opere suo super

Psalterium, super illo versu Psalmi 75, ut salvos faceret, etc.; contra illos qui dicunt, Augustinus vel talis doctor fuit homo ut ego sum, etc.

[p. 427.] Contrario vero modo possunt dicere plures episcopi, reges, et patroni, conferentes curatos et officiarios populo Dei. 'Numquid, O parochia talis! seu O popule Dei! numquid ego rex, ego episcopus, ego patronus ecclesiæ, numquid ego decepi vos quando misi vobis talem cupidum officiarium, vel talem curatum, vel episcopum, qui non residebat recte in cura sua, qui fuit ebrius, absens a vobis, nocens vobis parochianis, omittendo opera vobis debita, et illa necligendo, et mala diversa committendo, numquid talem præpositum vobis mittendo, vos decepi? Certe vos decepi, et vos læsi in hoc, et dicam, velim nolim, coram Deo die judicii mei recti, si bonus homo fuisset hic in ista cura tunc frater meus non fuisset sic mortuus, sc. populus Xtianus, qui per missum a me periit, ideo juste, Væ michi! quia talem præpositum populo Dei misi.' 'Ego,' inquit Apostolus ad Philippenses 2ª, 'spero in Domino Jesu Timotheum, sc. virum bonum, cito me mittere ad vos, neminem enim habeo tam unanimem, qui sincera affeccione pro vobis sollicitus sit.' Sed pro salute animarum vestrarum consimiliter diceret papa ordinans Romæ pœnitenciarios puplicos, et reges, et episcopi, et patroni, et ordinantes judices, et officiarios, in populo dicerent: 'Mitto vobis talem bonum et sanctum virum, quia neminem habeo qui ita concordet meæ voluntati in hoc sancto negocio seu officio exequendo recte.' Item talis ordinator pœnitenciariorum et episcoporum et judicum et curatorum et officiariorum diceret sicut Sanctus Paulus dixit Corintheis.

[p. 428.] Vide hoc super textum Apostoli per dominum Lincoln super Epistolas beati Pauli apostoli, super quas scripsit sua manu propria, et illam scripturam vidi quando fui cancellarius Oxoniæ; pro qua Oxonia jam dolens dico: Heu! heu! heu! Domine Deus! pro peccatis magnis, quæ in prætensis studentibus Oxoniæ, quæ onus est quasi totæ patriæ circumjacenti ei, per illata per Oxonienses prætensos scolares.

[p. 432.] Ego Thomas Gascoigne, indignus sacerdos, et doctor Theologiæ, Eboracensis diocesis, fateor quod licet curas ecclesiarum parochialium mihi oblatarum refutavi, propter diversa impedimenta in corpore meo et infra, tamen opto et desidero plures sanctos et devotos viros et scientes pocius habere officia et curas in ecclesiis quam meipsum habere milia marcarum, et quam meipsum habere maximum episcopatum, quia, teste Deo, si possem accipere mihi maximum episcopatum regni, et eligere, an vellem dare alteri homini, ego pocius darem alteri quam acciperem illum episcopatum michi ipsi, si scirem vel crederem quod ille cui darem episcopatum vel officium melius posset, sciret, et vellet proficere animabus quam ego, sc. si sic proficeret recte prædicando, sancte exemplificando, hospitalitatem tenendo, sobrie inter homines vivendo, et recte consulendo; et hæc dico non propter vanam gloriam et honorem ex hoc michi habendum in hoc sæculo, sed ut alii hæc legentes moveantur et inclinentur accipere officium et ecclesiam, seu refutare talia oblata, sicut Deus vult, et ad intentum fiendum quod Deus præcipit fieri, et quia Deus scit an bene vel male feci, in refutando cancellariatum ecclesiæ cathedralis Eboracensis, cui sunt appropriatæ duæ ecclesiæ parochiales, et male, ut ego judico; ideo offero me infinitæ misericordiæ Dei et precibus omnium sanctorum, quia in refutando hoc et alia credo firmiter me esse et fuisse inhabilem, et non habentem necessaria requisita ad standum in prœlio pro Domino Deo ad destruendum mala et peccata magna valde.

[p. 438.] Consimiliter viros probatos in sciencia et virtute ponerent episcopi et collatores ecclesiarum in ecclesiis parochialibus, et in aliis officiis ad regendum populum Dei, et non ad corrumpendum populum Dei et destruendum populum Dei, sicut faciunt jam moderni episcopi et patroni ecclesiarum, qui ponunt festucas in ecclesiis, et in curis, et officiis, et in præbendis, ubi ponerent columnas vivos sanctos, sc. et maturos viros, et non pueros et alios qui serviunt sibi ipsis

episcopis in curiis eorum, et in curiis dominorum seu patronorum, sicut episcopus modernus Eboracensis Willelmus Buth, qui nec est bonus grammaticus, nec scientificus, nec virtuosus reputatus, nec graduatus, sed legista juris regni, qui confert beneficia et præbendas pessime pueris et juvenibus, qui non fuit electus in episcopum Eboraci per capitulum ecclesiæ cathedralis Eboracensis, sed licencia regis Henrici Sexti recepit provisionem Nicholai quinti. Papa enim Romanus in diebus istis cassat omnes elecciones dignitatum eligibilium, et illas elecciones reservat sibi ipsi, et suis cardinalibus, et suam provisionem vocat eleccionem suam; sic quod tria ista faciunt hominem jam esse episcopum in Anglia—voluntas regis Angliæ, voluntas papæ vel curiæ Romanæ, et pecuniæ in habundancia solutæ curiæ Romanæ, sc. diversa milia librarum Anglicanæ monetæ solutæ hic in Anglia Lumbardis pro cambio, quod depauperat regnum. In concilio generali Deus, si sibi placeat, det remedium, vel per appellacionem regis et regni a papa ad concilium generale. Concilium enim Basiliense, quod fuit translatum Ferrariæ, et postea ad Florenciam, statuit et ordinavit remedium contra ista annata, quæ Anglici vocant primos fructus episcopatuum, sed illud remedium non vidimus exsecutum; an sit exsecutum in Francia nescio. 'O Deus, respice de cœlo et vide et visita vineam ecclesiæ tuæ,' Ps°. 79°; singularis ferus insaciabilis cupiditatis depastus est eam, et vastavit eam, a pluribus bonis et virtutibus et donis tuis, Domine!

[p. 439.] Novi enim doctores in theologia qui fuerunt maturi viri in ætate et cancellarii Oxoniæ, et nunquam in vita eorum nec episcopatum nec præbendam obtulerunt, excepto uno episcopo, qui dedit uni eorum præbendam octo marcarum. Item novi quod tunc pueri fuerunt magni archidiaconi et eciam promoti ad magnas præbendas; ita quod novi quod unus puer et stultus habuit archidiaconatum Oxoniæ et xii præbendas eciam cum hoc. Heu! heu! heu! Domine Deus!

[p. 465.] **Exposicio Scripturæ Sacræ.** Nota hæc pro revelacioni-

bus cœlestibus ostensis beatæ Brigittæ, viduæ et sponsæ Xti, de regno Sweciæ, cujus vita sancta et miracula plura et magna Romæ fuerunt prolata multis probacionibus coram papa Gregorio xj°, et coram papa Urbano 6°; et 18° anno post mortem suam fuit Romæ canonizata per papam Bonefacium ix, anno 2° sui pontificatus; et habuit octo proles, quarum 4ª fuit Sancta Katerina virgo de Wasten, cujus sancta ossa sunt in illo monasterio de Wasten in regno Sweciæ. Tres sunt sanctæ Katerinæ virgines, sc. prima de Monte Synay; item Sancta Katerina de Senis; et Sancta Katerina de Wasten in Swecia.

[p. 474.] **'Super flumina Babilonis illic sedimus et flevimus dum recordaremur Syon,'** Ps°. 136°. Ista verba dixit populus, tribus Judæ et Beniamin et Jerusalem, quando captivi fuerunt in Babiloni ducti a Jerusalem. Et consimiliter filii cœlestis Jerusalem, considerantes mala quæ fiunt in confusione ecclesiæ, flent et dolent quia septem magna mala, tanquam septem flumina, submergunt plures et suffocant in culpis et in pœnis, ex quibus septem fluminibus innumerabilia mala sicut rivuli a fluminibus dirivantur, quæ flumina pessima sunt ista:—

Indigna et nequam episcoporum rectorum et officiariorum ordinacio et institucio, quæ vocatur promocio.

Item, secundum flumen est absencia boni rectoris a populo quem regeret, quæ est sicut absencia nautæ quando navis periclitatur et mergitur.

Tertium est pluralitas ecclesiarum sive officiorum apud unum virum, in quibus duo viri, æque habiles ut ipse est qui habet pluralitatem sive duo incompatibilia, magis spiritualiter proficerent.

Quartum flumen est ecclesiarum sive decimarum appropriacio sive annexio illis qui non sunt curati immediati parochianis.

Quintum est abusus absolucionis in foro animæ, vocaliter factæ a sacerdote, non debito modo, nec vere pœnitenti, nec vere converso a peccatis.

Sextum, abusus indulgenciæ concessæ ab hominibus sed non vere

acceptæ nec receptæ ab hominibus, quia necessario requisita coram Deo deficiunt, sc. merita personæ coram Deo requisita.

Septimum flumen est, abusus dispensacionis vel licenciæ datæ ab homine et non recte usitatæ ad lucrum animarum nec ad animarum salutem.

Josias rex Jerusalem doluit, flevit, et vestimenta sua scidit, auditis verbis Dei, eo quod opera populi sui fuerunt contraria verbis Dei, iiij° Regum 22°. Sic nos doleamus, oremus, et prædicemus contra ista septem flumina Babilonis, quæ sunt causæ quare verbum Dei a pluribus non cognoscitur, nec servatur. In prima materia sciendum est, per graciam Dei, quod Dominus, considerans quanta dona fidei et agnicionis et signa amoris dedisset apostolorum principi, Petro beato, dixit Johannis ultimo, 'Simon Johannis, si diligis me, pasce oves meas.' Hoc 'pascere' ter replicans, quia intime hoc volens. Dominus enim novit quanta bona fiunt per bonum rectorem in populo, et quanta mala destruuntur exemplo unici rectoris in Egipto, Joseph, qui tot et tanta bona fecit et tanta mala destruxit, et impedivit ne fierent prudencia et zelo ejus et labore, ut patet sparsim in Genisi. Unde de bono rectore dictum Ecclesiastici, 'In diebus ejus facta est reconciliacio,' i. e. malorum destruccio et bonorum induccio. O quot mala destruxit bonus pastor et quot bona induxit! nam Petrus una die tria milia, alia die quinque milia, ad Xtum convertit, unde ipse pascebat recte oves; et sanctissimus Paulus convertit et pascebat verbo Dei plagas orbis, sc. in oriente, occidente, austro, et boria; et sic laboravit pro Xto triginta octo annis, ut testatur Sanctus Beda super Actus Apostolorum. Pascit enim gregem, qui devote orat pro grege. Item, qui patitur et moritur pro Deo. Petrus pascebat oves Domini in verbo sanctæ prædicacionis, in sancta et devota oracione, in vitæ rectæ et justæ ostensione, exemplum præbens aliis bene vivendi, in sacramentorum recta administracione. 'Pasce oves meas,' dicit Dominus, i. e. non te pascere cogita pro te, sed oves pasce, et sicut meas oves pasce, et non sicut tuas, i. e. quære in eis meam voluntatem,

non alterius contrarii michi; gloriam meam in eis quære, non tuam, lucra mea, non tua, dampnum meum, non tuum. Attende. Petrus pascebat; ut pastor, rector, et dux populi, quando dicebat, 'Tu, Domine, qui nosti corda omnium, ostende quem tu elegeris,'—Actuum primo capitulo; non ex carne elegit, nec ex voluntate viri, sed voluntatem Dei optavit impleri, nec pro litteris dominorum, quæ essent testimonia veritatis testificancia actus scientiæ et virtutum, ut ad Dei laudem et ad lucrum animarum præsidens eligatur. Et quia septem vicia quasi septem flumina plures animas destruxerunt, ideo primo intendo dicere de primo malo.

Indigna promocio seu institucio episcoporum, rectorum, seu officiariorum in ecclesia, est primum flumen Babilonis, i. e. confusionis, quod plangendum est et reformandum ab hiis qui diligunt videre Deum in Syon cœlesti. Mala ordinacio in ecclesia seu in aliquo officio est, quando ordinans non intendit præficere vel ordinare illum qui melius potest, scit, et vult exercere actus spirituales officio suo debitos, nec attendit cum Sancto Petro quem Deus elegit, sed quem ipse impinguare et temporaliter honorare vult, pro carne et sanguine, vel pro servicio mundano vel temporali, vel pro obsequio, vel pro rogatu et litteris aliorum, ubi litteræ Divinæ in scriptura sacra præcipiunt alios viros operarios mitti in messem suam et in vineam populi Dei. Heu! heu! pro tali et tanto malo, et pro malis ex isto malo sequentibus. Causa enim antecedentis est causa consequentis. Ordinans ergo male seu viciose aliquem in officium ecclesiæ seu alterius rei, est causa omnium malorum, et reus omnium malorum, quæ per talem fiunt, contra salutem animarum, et est causa omnium omissionum bonorum actuum, qui a tali vel per talem præsidentem, si bonus esset, fierent. Unde talis ordinans carnaliter vel malo amore vel malo timore aliquem in officium, seu regimen ecclesiæ, et sic ordinari procurans, communicat peccatis alienis quæ ex facto suo secuuntur; contra quod peccatum hortatur Apostolus dicens, 'Non communicaveris peccatis alienis,' i. e. ne sis particeps in culpis nec in pœnis aliorum. Et, teste Sancto

Jeronimo, libro suo xvj° super Ysaiam, qui inhabilem vel non sufficientem ordinat, vel ordinari procurat in officium ecclesiæ, reus est malorum quæ per talem perveniunt, et omissionis bonorum quæ a sufficienti et a viro Dei pervenirent; quia si ordinans, seu eligens, et procurans talem ordinari, debitum suum coram Deo fecissent, nec talia mala ex actu suo sequerentur, nec tot bona opera debita fieri omitterentur, et si debitum suum fecissent ante ordinacionem, talia mala prævidissent. Heu! quot patroni ecclesiarum et intrusores prælatorum et rectorum, et judicum et officiariorum pro facto suo malo in sua mala ordinacione malorum capitum, id est, populo Dei, dicere possunt populo erranti, et per eos læso, 'Per eum quem dedimus vobis circumvenimus vos,' i. e. decipimus vos contra sanctam collacionem sanctissimi Pauli facientes, qui consimiles sibi ordinans in episcopos et rectores animarum dixit 2ª ad Corintheos 12°, 'Nunquid per aliquem eorum, quos misi ad vos, circumveni vos?' ostendens quod non decepit eos, et causam reddit, 'Nunquid eodem spiritu et eisdem vestigiis ambulamus?' hoc enim peccatum malæ promocionis præcipue optat diabolus et procurat, quia tunc nec mala destruuntur, nec impediuntur, nec bona opera fiunt, quæ fierent; malus enim rector seu malus præsidens mala facit, et bona debita fieri omittit, et mala non destruit, et per eum et per acta ejus mala in aliis fiunt, et plura opera bona in ipso et per ipsum in aliis omittuntur, ut testatur Sanctus Jeronimus super Ecclesiasten ca° decimo textus, 'Est malum,' inquit Salamon, 'quod vidi sub sole, quasi per errorem egrediens a facie principis, positum stultum in dignitate sublimi, et divites, sc. in virtute et in sciencia, sedere deorsum, et servos super equos, sc. peccati et ignoranciæ, et principes ambulantes, sc. virtutum et scienciarum, quasi servi super terram;' Ecclesiastes decimo capitulo. Mala enim promocio, quando homo ordinat festucam ubi poneret columpnam, i. e. qui ponit debilem, inscium, carnalem, et torpentem, ubi poneret scientem, virtuosum, et zelum animarum habentem; væ illi! quia opus Dei, immo, plura opera Dei, per talem negliguntur et omittuntur. 'Maledictus,' inquit

Jeremias, 'qui facit opera Dei negligenter,' i. e. non eo modo quo faceret; maledictus est ergo qui per promocionem suam vel procuracionem est causa quare opera Dei fienda in salute animarum negliguntur et omittuntur in malo rectore seu præsidente, quia causa causæ est causa causati, et si ipse opus debitum fecisset, in collacione officii ecclesiæ, ibi fuisset in bono curato lux scienciæ, vitæ, et doctrinæ, et plura alia bona, quæ jam non sunt, ymmo contraria in cura ecclesiæ, seu diocesi, multiplicantur. Beatus est qui in promocione alicujus attendit quæ sit voluntas Dei bona, beneplacens, et perfecta, ut talem instituat, cui dicere potest, 'Secundum Deum, ad omnia quæ mittit te Deus, ibis,' sicut Dominus dixit Jeremiæ, 'Ad omnia quæ mittam te ibis.' Beatus sit a Deo qui in eleccione præsidentis, episcopi, rectoris populi, et judicis, vere dicit verba quæ dixit Pharao ad Joseph, Genisis 40°, 'Primo quia ostendit tibi Dominus omnia quæ locutus es,' sc. docendo et prædicando, et similem tui invenire non potero, ideo constitui te super universam terram Egipti,' i. e. ecclesiæ. Malus dispositor familiæ domui est, qui in servicio domini sui non ordinat eos, qui sciunt, et possunt, et volunt melius domino suo servire, sed amicos suos ordinat, ut ditentur in officio, qui servicium debitum omittunt; sic, væ illis! qui conferunt officia ecclesiæ amicis suis carnalibus, per quos actus divini cultus et salutis animarum omittuntur, et ipsi ditantur de bonis ecclesiæ, quæ Deus contulit ut ministri ecclesiæ libere, et sine onere temporalis servicii, vacarent oracioni et prædicacioni et studio sacræ scripturæ, more apostolorum Actuum sexto, ut testatur Sanctus Jeronimus super Josua. Væ ergo illis! qui exemplo Heli maledicuntur a Domino, quia honorant amicos suos carnales bonis ecclesiæ magis quam Deum, præferendo voluntatem carnalem amicorum suorum magis quam Dei voluntatem in præficiendo bonos curatos. Heli enim honoravit filios suos plus quam Deum in hoc, quod eos non expulit ab officio ecclesiæ, sed permisit eos stare in officio sacerdotum propter pinguedinem victimarum, ut testatur Sanctus Jeronimus contra Pelagianos hæreticos. Sic ipsi honorant

amicos suos carnales magis quam Deum, qui non conferunt officia ecclesiastica, sc. episcopatus, rectorias, et alia officia, illis qui sciunt, et possunt, et volunt sciencia et vita et doctrina plures in virtutibus Domino acquirere, sed amicis suis carnalibus conferunt, ut ditentur et honorentur pinguedine terræ de bonis ecclesiæ datis a Deo in augmentum operum bonorum et actuum spiritualium, ut testatur Sanctus Jeronimus super Epistolam ad Titum, in Commentariis suis. Honorat enim amicum suum carnalem magis quam Deum, qui suam propriam in eo implet voluntatem, et non Dei imperium. Talis non facit sicut fecit Judas Machabeus, qui elegit sacerdotes 'sine macula voluntatem habentes in lege Dei, et mundaverunt sancta,' i.e. templum, primo Machabeorum iiij°. Mundant ecclesiam qui reformant parochiam suam vel diocesim. Ipse enim est malus rector seu officiarius ecclesiæ qui non facit illa opera quæ faceret et qui facit opera contraria illis quæ faceret. Opus curati est evangelizare et testificari judicia Dei et quæ vult Deus manifestare populo Dei, et hoc verbo recto, et manifesto, et vita, et exemplo, et subsidio; unde prædicacio vocatur, Actuum vicesimo ca°, 'annunciacio,' i.e. aperta ostensio et declaracio, ut sapiat verbum in corde audientis. Primum opus curati est verbo, et facto bono exemplari, recte speculari in libro naturarum, seu in noticia rerum, et in libro scripturæ sacræ et sanctorum doctorum illa quæ Deus annunciat, ut testimonium perhibeat veritati hiis, qui ignorant et errant, verum pro falso et e contra tenentes, et illis qui cognoscunt verum; sæpe verum et bonum reducat curatus animarum in memoriam illorum, ut verius cognoscant, et ut non obliviscantur, quia Dominus præcepit populo Israel habere semper verba mandatorum Dei, ne illa obliviscerentur, ut essent quasi signa ante oculos, et quia officium curati est sic recte speculari et annunciare voluntatem Dei populo suo, ideo Dominus Ezechielis iij° vocat eum 'speculatorem' et annunciatorem verborum Dei; super quo cap° testatur Sanctus Jeronimus, doctor cœlestis: qui speculator factus est, verba Dei populo narraturus, multo tempore debet quiescere et dolere ad ea quæ

videt, et nichil habere eorum in consciencia qui in aliis correpturus est. Sic enim Ezechiel septem diebus sedit et consideravit quæ diceret, et lugebat pro eis quorum peccata coram eisdem redargueret et manifestaret. Post hos septem dies factum est verbum Domini ad eum dicens, 'Fili hominis! speculatorem dedi te domui Israel et audies de ore meo verbum, et annunciabis eis ex me;' Ezechielis iij° capitulo. Hæc ibi sanctus doctor Jeronimus. Videret ergo speculator, i. e. quilibet aliis præsidens studio et oracione quæ Dei sunt, et tunc audacter ea diceret, exemplo Uriæ prophetæ Domini, quem occidi fecit rex Judæ Joachim, et principes sui, pro verbo Dei quod prædicando testatus est, qui videns mortem sibi parari nichilominus loquebatur quæ præcepit Deus nec mutavit sentenciam pro evitacione mortis. Hæc Sanctus Jeronimus libro suo quinto super Jeremiam. Missi enim a Deo testimonium perhibent verbo Dei de hiis quæcunque vident ad annunciandum aliis, exemplo Johannis in Apocalypsi et Antipas viri sancti qui testis Dei, i. e. martir Dei, ideo in Apocalypsi a Domino dictus est, testante angelo Sancto Johanni. Annunciare autem tenetur voluntatem Dei curatus oportune, et importune, quia teste Sancto Augustino, in Sermone in die anniversaria ordinacionis suæ in episcopum: 'Servus nequam Mathei vicesimo quinto ideo dampnatur quia non dedit pecuniam domini sui ad mensam, i. e. donum Dei et verbum Dei sibi collatum in usus aliorum, unde Dominus ei dixit, "Quare non dedisti pecuniam meam," i. e. verbum, "aliis ut inde lucro bonorum operum in judicio exigerem ab eisdem?" tuum erat verbum erogare; Dei est bonam vitam exigere erogatorem verbi. Posuit Deus prædicatorem, non exactorem bonæ vitæ in aliis.' Hæc ibi Sanctus Augustinus, et subdit doctor ibidem, 'Forte dicis, non volo prædicare, quia alii non proficiunt verbo quod prædico; respondet tibi divina scriptura quod nescis quando spirat Spiritus Dei, et quem spirat, et servus nequam non dampnatus Mathei vicesimo quinto quia alii male vixerunt, sed quia aliis verbum Dei non dedit, nec donum Dei aliis communicavit ad usus pro quibus Deus illud dedit.' Hæc ibi Sanctus

Augustinus. Ideo oportune et importune, i.e. hiis qui volunt, et hiis qui audire non volunt, prædicandum est. Ideo Dominus Jeremiæ præcepit, decimo septimo capitulo, ut prædicaret in portis templi in Jerusalem, ut populus intra ecclesiam existens, causa oracionis et immolacionis, audirent verbum Dei, quamvis inviti audirent, et quamvis non voluerunt libenter audire verbum Dei. Tum Deus præcepit Sancto Jeremiæ, virgini et prophetæ, ut illud eis prædicaret, quia forte quod in principio non suscipitur postea libenter amplexatur, et qui audit excusationem non habet, quod non novit. Ideo invitis prædicavit Sanctus Jeremias, ut testatur Sanctus Jeronimus, doctor cœlestis, libro suo iij° super Jeremiam, ca° decimo septimo textus prophetæ. Et prædicandum est verbum Dei et ejus declaracio, quamvis alii contradicant et vituperent, et quamvis pejora dicant et faciant quam antequam Dei verbum audierunt. Sic enim Xtus prædicavit Matthei 25°, quamvis alii audito verbo suo scandalizati fuerunt, id est, moti ad malum dicendum et faciendum. Item apostoli Actuum . . . . ca° omni die prædicaverunt, quamvis pœnam eis imminere providerunt, quia pocius debemus scandalum permittere, i.e. occasionem mali oriri, quam veritatem vitæ, doctrinæ, seu justiciæ, relinquere, teste sancto papa Gregorio super Ezechielem. Cristus enim voluit potius occidi quam veritatem necessariam tacere, vel omittere, vel peccata populi non reprehendere, ut ostendit doctor divinus li° iij° Sentenciarum, distinccione vicesima. 'Annuncia,' inquit Dominus, 'populo meo scelera eorum,' i.e. annuncia eis per evidencias et per raciones quod actus eorum sunt mali et contra Dei imperium, et ostende quæ includuntur in peccatis eorum, et gravitatem peccati, ostende quæ secuntur ex peccato in hac vita, et in futura, sicut Sanctus Augustinus ostendit in Encheridion plura peccata fuisse in peccato Adæ; scilicet, superbiam, quia Dei imperio non obedivit; item, gulam, quia de ligno vetito comedit; item, falsum favorem, seu falsam et malam placenciam, qui uxori suæ Evæ displicere non voluit, sed contra Dei mandatum ei placuit comedendo, ut Eva præcepit. Sic sæpe nos

peccamus et male facimus ne ex amico carnali fiat nobis inimicus, teste Sancto Augustino super Genisim.

Et annuncia, O episcope! quæ Domini sunt populo, et alios mitte ad annunciandum verbum Dei, quia in pluribus jam allegatum est per statutum provinciale, editum per instanciam Thomæ Arundel, archiepiscopi Cantuariensis, et bachillarii artium Oxoniæ, quia ut sapientes affirmant, ad pauca respiciens, timens ne mali male prædicarent, statuit cum aliis episcopis, quod nullus prædicaret in provincia Cantuariensi, nisi qui licenciam episcopi diocesani vel metropolitani haberet, vel qui est admissus a jure communi. Et utinam tam proni et assidui essent episcopi, ad mittendum et exhibendum maturos prædicatores et scientes, sicut fuerunt proni ad ordinandum quod nullus prædicaret sine licencia, et licencia, ut pluries jam optinetur, cum pecunia. Et idem Archiepiscopus Arundel ante mortem suam, sic in lingua percussus fuit, ut nec deglutire nec loqui per dies ante mortem suam potuit; et sic obiit, et ut creditur, quia verbum Dei sic ligavit ab ore prædicancium, in lingua sua sic percussus fuit. Ideo, per amorem Jesu, vos episcopi solvite asinum et pullum, id est, homines in miseriis culpæ et pœnæ ligatos, et adducite ad Jesum, quia hoc est opus vestræ professionis. Racio enim ostendit ut sicut mali essent exclusi a prædicacione verbi Dei propter malum ex actu suo secuturum, sic boni et scientes providerentur et mitterentur, propter necessaria bona quæ verbum Dei produceret in animas credencium. Et quia curatus non potest recte annunciare nisi recte attendat et cognoscat, ideo attendere debet, ut vigilans pastor super gregem suum ad universa necessaria sibi et populo suo universo, et hoc cotidiana solicitudine, ut mala evitentur, et bona, quæ ex debito fierent, non omittantur. Sic hortatur apostolus episcopos Actorum vicesimo. 'Attendite,' inquit, 'vobis et universo gregi in quo vos Spiritus Sanctus posuit episcopos,' id est, superintendentes, 'regere ecclesiam quam adquisivit sanguine suo.' Regit, qui recte docet, et qui recte imperat, et præcipit,

cui recte obeditur, quia Deus ratum habet quod nomine ejus recte præcipitur. Item regit, qui seipsum exponit in salutem aliorum, paciendo pœnalia pro justicia contra tirannos, vere dicentes cum propheta, quomodo coram Deo inventus est 'sanguis pauperum in alis eorum,' id est, in deliciis et voluptatibus divitum et terrenorum inventus est labor justorum pauperum, quod opprimunt et injuste eorum bona extorquent; et ipsi laborantes indigent, et alii intrant in labores eorum. Item sanguis pauperum est in alis eorum, quia ipsi magni domini terreni sunt causa et occasio quare alii inferiores peccant malo amore vel pro malo timore eorum, et causa sunt malorum in pluribus malis, quos defendunt in malo, et eos corrigi non permittunt. Et Numeri tricesimo iiij° dicit Dominus, se inferre tantam pœnam non punientibus peccata quantam inferret facientibus illa mala, ergo, a forciori, puniet illos, qui mala defendunt, et corrigi non permittunt, quia hoc majus malum est. Regit ergo bene qui se exponit pro grege defendendo a malis, cogitans illud dictum prophetæ in libro Regum: 'Custodi virum ipsum, quia si lapsus fuit, erit anima tua pro anima ejus;' id est, erit anima tua punita pro tuo defectu, quia defecisti ab eo quod operari tenebaris, sub pœna offensæ Dei; et anima tua erit punita quia malum fecit quod præcavere potuit, et debuit ex lumine intellectus; unde Dominus Ezechielis iij ipse scilicet subditus in iniquitate, quam operatus est, morietur, i.e. a Deo separabitur, et sanguinem ejus de manu tua, O rector populi! requiram, quia scilicet defecisti a debito tuo, scilicet malum faciendo, vel a malo suo ipsum non revocando, vel exemplum bonum, vel aliud debitum bonum omittendo, ut declarat bene doctor auctenticus, Hugo de Vienna, Ezechielis iij° capitulo. Opus enim curati est regere animas tanquam preciosum thesaurum quem Xtus adquisivit sanguine suo, teste apostoli Actuum vicesimo capitulo. Custodi igitur depositum tuum, i.e. thesaurum, custodiæ tuæ commissum, quia si tuo defectu perit, væ tibi! quia vineam tuam non custodisti. Sed heu! jam quia, qui jam onus regiminis accipit, aut est valde malus,

vel male bonus et perfectus, quia si faciat ut cæteri multi, erit valde malus, et si non fecerit consimiliter eis, erit in obprobrio multorum, et abjeccio plurium erit. Sed beatus qui suffert pro justicia quando portat crucem, i.e. cruciatum cum Xto. Opus eciam curati est corrigere seu reprehendere mala subditorum, primo instruendo, postea in spiritu sobrio redarguere, et offensam et pœnam peccanti ostendere, ne fautor mali videatur et neglector curæ debitæ, ut dicere poterit, 'Zelus domus tuæ, i.e. amor salutis animarum, comedit me, quia compacior et crucior, videns hanc sponsam tuam, Domine Deus, deditam adulterio, i.e. inordinato aliorum amori, pocius quam amori tuo.' Qui ista opera fecerit, opera curati facit, et qui ista non fecerit, plurima mala facit, quia ex tali omissione innumerabilia mala fiunt, et innumerabilia bona opera omittuntur, et negliguntur. Pœnitenciam ergo age, O negligens rector! et prima opera fac, Apocalypsis ij capitulo, i.e. non solum vere pœniteas, sed prima opera fac, i.e. bona opera fac, ad quæ prius, ante culpam et post culpam, obligatus es jure racionis et jure divino scripto, exemplo Sanctissimi Pauli, qui evangelizavit fidem quam aliquando expugnabat, ita ut pro ipso alii homines clarificabant Deum, id est, gloriosum et graciosum prædicabant; age ergo instanter, et assidue curam gere animarum, Xti sanguine redemptarum, ne dicatur tibi illud Apocalypsis iij°, 'Non invenio opera tua plena coram Deo,' id est, deficiunt cætera requisita in te coram Deo.

Secundum flumen, destruens bona plurima, est non residencia curatorum et præsidencium, qui non sunt præsentes in sua cura et in suo populo. Quot bona causat bona residencia et assidua vacacio operibus virtutum et extirpacioni viciorum, tot mala causat absencia, seu non residencia boni episcopi et boni præsidentis et rectoris. Oppositorum enim eadem est disciplina, teste philosopho in phisicis; absencia nautæ est causa periclitacionis navis, quia sicut tollit præsenciam suam et regimen quod custodierit navem a periculis et a naufragio, sic absencia boni rectoris in spiritualibus, vel in temporali officio,

plurima mala occasionaliter causat, quia non impedit mala, nec opponit se, ut impedimentum seu murum, pro domo Domini, et plurima bona opera debita fieri per absenciam boni patris omittuntur et negliguntur et oblivioni traduntur. Sancto enim Paulo apostolo existente apud Galathas, exulabant ibidem magna mala, et habundabant virtutes, studia sacræ scripturæ, opera doctrinæ et magnæ elemosinæ servis Dei collectæ in necessitates relevandas et in scripturas scribendas; et in absencia Sancti Pauli contraria omnium horum bonorum inter Galathas habundabant, et tamen nulla culpa fuit in illa absencia Pauli sanctissimi, quia ex imperio Dei absens fuit, vacans curæ spirituali tocius Ecclesiæ, in instancia cotidiana omnium ecclesiarum. Item non peccavit in illa absencia, quia non solum fuit absens a Galathis ut, ex mandato Domini, aliis regionibus prædicaret, sed etiam instituit inter Galathas curatos, qui curæ illi semper intenderent in ejus absencia, qui haberent curam immediatam super Galathas, et ipse Sanctus Paulus, tanquam episcopus a Deo institutus, habuit curam superintendenciæ, tanquam aquila cœlestis procul attendens quæ sunt et quæ imminerent in omnibus ecclesiis, ut testatur sanctus doctor Jeronimus in Commentariis suis super Epistolam Sancti Pauli Apostoli ad Galathas; et sanctæ memoriæ Doctor Robertus Grostet, Lincolniensis episcopus, in exposicione sua propria super Epistolam Sancti Pauli ad Galathas. Vigila erga super curam animarum, quia angeli Dei Xti incarnati mysteria annunciaverunt pastoribus vigilantibus super gregem suum, Lucæ ij°; non solum vigilabant pro grege sed super gregem suum præsentes cum grege. Custodi ergo vineam tuam, quia qualis est rector in civitati talis est civitas. Sed audivi aliquos dicentes in excusacionem sui peccati, ut peccatum suæ absenciæ a cura non appareat peccatum. Melius est, inquiunt, raro visitare gregem quam cum grege continue residere, quia si continue ibi resident tunc nimia familiaritas cum curato parit contemptum, et si raro in cura fuerit, tunc velud extraneus magis honorabitur, et in

timore majori erit curatus. Qui hæc dicunt, seipsos seducunt, et veritatem occultant, et lucem tenebras esse affirmant, ideo 'Væ illis!' dicit Dominus Ysaiæ quinto, ubi dicunt quod nimia familiaritas parochianorum parit contemptum curati seu episcopi, ergo absencia curati diuturna melior est quam continua vel necessaria cum grege suo residencia. Qui isto modo dicunt arguunt ac si quis diceret, 'Nolos edere prope ignem ne forte comburat me; nolo omnino comedere ne cibus suffocet me,' quasi actus boni, necessarii fieri, non possent nisi ex illis bonis actibus necessario sequerentur mala. Revera, si vera esset hæc falsa absencium curatorum excusacio, Sanctissimus Paulus peccasset eo quod, teste seipso, Actuum vicesimo, per triennium nocte et die residens fuit in cura, cotidie monens populum Asiæ Minoris, quæ revera residencia valde sancta et meritoria fuit. Absit ergo quin bonus curatus residere poterit in cura sua sine nimia seu viciosa familiaritate, ut dux et ductor populi Dei. Ubi vero episcopi seu alii præsidentes dicunt male, se excusando, 'Absencia curati causat timorem subditorum penes rectorem suum,' revera veritatem dicunt; quia ex tali absencia causatur timor malus et nocivus, quia parochiani et diocesani, non cognoscentes vitam et exemplum et conversacionem sui rectoris seu episcopi, timent ostendere statum animæ suæ curato suo, nescientes an bonus an sciens sit an non, et sic quia raro venit ad gregem, non noverunt eum, nec vocem ejus in salutem animarum suarum audierunt, et ideo non sequuntur eum nec consilia petunt ab eo de actibus animæ; quia quasi extraneus ideo nec recte cognoscitur, et ideo recte non diligitur. O Domine Deus! da ut præsidentes ecclesiæ descendant, humiliter et cum compassione miseriæ, a statu nimiæ exaltacionis et honoris, ad loquendum et ad humiliter attendendum causis subditorum, qui jam non audent accedere nec, ut oportet, indigencias animæ et corporis patri suo spirituali annunciare, quia elongati sunt præsidentes et elevati, ut non audent nec possunt debito accedere, nec sufficienter necessitatem suam explanare. 'Væ

michi,' inquit Sanctus Augustinus, 'si aliquem, qui meo auxilio seu loquela indiguit, repuli, vel minus aspexi, vel necessitatem animæ suæ nimis distuli, moras protrahendo eum, Dominus autem Deus cito michi auxilium dedit;' hæc Sanctus Augustinus, doctor eximius, in Sermone in die anniversaria ordinacionis suæ in episcopum, quia tunc præcipue solebat Sanctus Augustinus onera episcopalia coram Deo mentaliter reducere, et coram populo illa prædicare, ut intimius pro se preces populi adquireret ad Deum, ut onus suum recte impleret et perficeret. Salvator noster nunquam sanavit in evangelio aliquem infirmum, quamdiu ipse Salvator stetit in monte, sed descendens de monte sanavit infirmum. Sic descendant prælati, subditos suos docendo, consulendo, compaciendo, et auxiliando, et tunc eos sanabunt. Sed heu! quot jam dicere possunt, 'Posuerunt me custodem in vineis, vineam meam non custodivi;' et ideo in die judicii dicet illud Deuteronomii primo, 'Propter vos iratus est michi Dominus,' sic revera dixit Moyses filiis Israel, 'Propter vos iratus est michi Dominus,' i. e. propter peccatum dubitacionis meæ ad aquas contradiccionis, quod peccatum feci occasione iniquitatis vestræ, quia iniquitas populi movebat Moysen dubitare de aqua perducenda de petra. Consimiliter in die mortis et judicii dicet malus et ociosus et viciosus prælatus et curatus, 'Propter vos,' sc. homines curæ meæ, 'quondam commissos michi, iratus est Dominus,' i. e. propter peccata quæ vos fecistis occasione mei, et per defectum meum, quia onus meum circa vos non feci, et bona opera debita omisi, mala non destruxi, nec contra ea debitum meum feci, hortando, docendo, consulendo, et exemplum bonum præbendo, et onus meum quod propter lucrum vel honorem mundanum indigne suscepi, implere nescivi, unde sanguinem vestrum,' i. e. peccatum vestrum, 'Dominus de manu mea requirit,' i. e. me pro meo circa vos defectu æternaliter punit, ut patet Ezechielis iij° capitulo; et Sanctus Augustinus, in libello suo de pastoribus, hoc testatur, 'Unde propter vos iratus es michi Dominus, i. e. propter peccata vestra

quæ fecistis, meo defectu, et propter bona opera, quæ omisistis meo defectu seu negligencia;' in Apocalipsi enim Dominus episcopos reprehendit et eis dampnacionem minatur, pro malis suorum subditorum, et bonos episcopos sibi commendat, pro bonis laboribus circa subditos suos, ut testatur Sanctus Jeronimus super Micheam prophetam capitulo sexto. Sed forte dicis, 'Bonum habeo substitutum et ideo non curo de absencia mea a cura,' sed scias quod qui per alium facit opus curæ suæ per se non facit, nisi necessitas vera sit in causa illius substitucionis, et vera voluntas per se faciendi si posset; qui enim per alium facit, ipsum vicarium suum ab operibus bonis retrahit, quæ perficeret si præsidens officium suum recte et per se perficeret. Oza enim Levita, ij° Regum, sexto capitulo, percussus fuit ad mortem, Domino hoc volente, quia non portavit archam Domini super proprios suos humeros, et ideo occisus fuit, ut testatur Sanctus Jeronimus doctor, in Quæstionibus super Paralipomenon, et Epistola sexagesima sexta ad Fabianum diaconum lapsum; si ergo per alium substitutum officium tuum impleas, videas necessitatem quare tu ipse non facis, videas quod requisita coram Deo sint in tuo substituto vices tuas supplente, et vide quod tu non sis ignavus servus, dum tenes officium quod, si apcior et melior te haberet, multo plures actus bonos coram Deo multiplicaret, ut inquit Sanctus Jeronimus in Epistola ad Heliodorum episcopum.

Tercium flumen Babiloniæ confusionis, mergens plurima opera virtutum et destruens, est pluralitas ecclesiarum, seu præbendarum, seu officiorum; legitur enim de Moyse quod Dominus divisit onus ejus in plures bonos et scientes coadjutores, ut opera Dei perfeccius et melius per plures operarios veros perficeret; et dominus vineæ, Matthei vicesimo capitulo, misit plures operarios in vineam suam, et non unum operarium ad operandum in diversis vineis, quia sic opus esset diminutum et imperfectum et in pluribus locis vinearum detrimentum propter suam impotenciam et defectum: ideo Dominus Actuum xiij° dixit, 'Segregate michi Paulum et Barnabam in opus ad quod assumpsi eos,' i.e. sepa-

rate eos, ut unus proficiat in una ecclesia, et alius apostolus in alia ecclesia proficiat, diversas et plures animas Deo adquirens verbo sancto et exemplo, quia melius et perfeccius possunt proficere verbo et facto suo duo boni rectores in duabus ecclesiis quam unus talis bonus rector in duabus ecclesiis, quia onus melius sic perficitur, unde sanctus papa et doctor Gregorius ordinavit quod unus episcopatus parvus divideretur in duos episcopatus, ita quod duo essent episcopi in perpetuum ubi prius fuit unus episcopus, Petrus nomine: et episcopus illius loci, sc. Corsicæ, multum in hoc gavisus fuit, quod sic episcopatus ejus divisus fuit in duos, quia sic melius et perfeccius onus divisum in plures perficeretur, et sic limites diocesis suæ fuerunt sibi viciniores, et sic melius potuit perficere et implere debitum officium animabus, ne diceret ei Dominus illud quod dixit in Apocalipsi iij° capitulo, 'Non invenio opera tua plena coram me,' i.e. sufficiencia et requisita habencia; unde sic divisit sanctus papa Gregorius episcopatum unum in duos, ut patet in registro suo, libro octavo, epistola prima, Petro episcopo Corsicæ, et ordinavit duodecim fore episcopos in duodecim episcopatibus in perpetuum, ubi fuit jam nisi unus episcopus et unus episcopatus, ut patet in Epistola Sancti Gregorii Sancto Augustino, Anglorum apostolo, et est illa epistola in registro Sancti Gregorii. O Deus! concede ut episcopi et præsidentes pocius optent prodesse spiritualiter quam prodesse temporaliter, quia tunc non sic appeterent duas ecclesias, nec præbendas. Dominus Hugo de Vienna, cardinalis sanctæ Sabinæ, testatur super Actus Apostolorum, quod omnes quos ipse novit talem pluralitatem ecclesiarum habentes ante mortem suam, consciencia dictante, confessi sunt seipsos dampnabiliter vixisse duo beneficia retinendo, ubi unum fuit sufficiens ad eorum necessaria. Tales, pluralitates habentes, merito suo malo vocantur devoratores, et destructores salutis animarum, et cultus Dei, quia unus talis impedit quicquid boni alius bonus rector seu præbendarius in uno beneficio suo faceret, et si vere saperet, videret clare, quod pocius intendit talia bona ecclesiarum

pro honore suo et pro deliciis carnis quam pro virtutibus et actibus divinis multiplicandis, et sic consequitur ut servus indignus et mercenarius pocius intendit suum lucrum mundanum, quam domini sui bonum et rectum servicium multiplicandum. O Deus! educ de carcere ignoranciæ et erroris animas præsidencium, ut sapiant et recte intelligant judicium tuum rectum, et quomodo tu, ut patet in tuo evangelio, non voluisti solvere tributum imperatori Romano pro te et pro Petro de illis bonis, qua oblata fuerunt in usus tuos utiles et in necessitatem relevandam discipulorum tuorum, set de statere invento in ore piscis solvisti tributum per manus Petri, quia, ut testatur sanctus doctor Jeronimus in Commentariis super Matheum, nephas esse cognovisti rem datam in usus sanctos et pro sanctis pauperibus dare in alios usus et non pauperibus. Nec est securus in consciencia coram Deo quisquis, cum quo papa dispensat, quia sæpe papa in judicio fallit et fallitur, ut patet in antiquis, sc. quinto libro Decretalium de summa excommunicacione, et quamvis papa, motus vel importunitate victus, licenciet te duo beneficia vel ex jure incompatibilia habere, non tum potest recte licenciare te ad sic habendum et ad sic faciendum ut facis, quia forte ocio vacas et delicias nutris, nec per talem licenciam papæ intendis perficere Dei voluntatem, sed tuam, ideo ad dampnacionem tuam uteris papæ licencia, teste Sancto Barnardo, doctore et abbate Clarevallis, in Epistola sua nobili ad Adam monachum de obediencia. Et in Epistola sua ad Robertum Cluniacensem monachum, sic ait idem Sanctus Bernardus, 'Quid valet tibi papalis licencia, cujus conscienciam ligat divina sentencia?' Deus enim, testante propheta, justicias judicabit, ergo injusticias judicabit; quamvis ergo Papa Romanus forte credens te sanctum, justum, et scientem, te licenciavit ad aliquid faciendum vel ad aliquid habendum, non tum licenciavit nec licenciare potuit ad faciendum nec ad habendum eo modo nec eo abusu quo abuteris, et quo viciose et male uteris. Forte exemptus es ab ordine religionis ut meliori vaces operi doctrinæ et curæ animarum, et tu e contrario deliciis vacas, et

animas Xti sanguine redemptas pocius inficis, quam ædificas. et mala absencia et malo exemplo lædis, ut ostendit ibi Sanctus Bernardus in illa Epistola ad Robertum. Nuper enim unus religiosus professus summa decem librarum exempcionem optinuit ab ordine suo, ut esset capellanus et rector honoris, et tamen in facto suo manifestum fuit quod in vita sua fuit capellanus vicii et horroris. Heu! heu! Domine Deus, quia sanguis sanguinem tetigit, i.e. unum vicium trahit ad alia vicia et impellit, tanquam cathena pessima, propria voluntate deficiente causata. Moyses enim optabat a Domino Deo nostro curam suam in alios dividi et sibi cooperatores dari, et Dominus ei cooperatores dedit; sic revera, si rectum Dei zelum haberes, alium optares occupare locum et officium tuum, quod tu ignavus occupas, ubi alius duplare posset servicium Domini Dei in salutem animarum verbo, et facto, et doctrina, perficiendo multipliciter. Paulus enim sanctissimus Thimotheum episcopum instituit, quia fideliorem et scienciorem ibi ad illud officium invenire non potuit. Unde hanc divisionem curæ animarum in diversos hortatur Sanctus Beda, doctor Anglorum in Epistola sua ad Egbertum episcopum Lindiffarniensem, manifesta enim mala magna et plurima ex hac pluralitate ecclesiarum et officiorum secuntur.

Quartum flumen Babilonis et confusionis, salutem animarum et plurima opera bona destruens, est appropriacio ecclesiarum. Ex ista appropriacione sequuntur magna et plurima mala, destruccio cleri et studencium defectus, et penuria clericorum immediate curæ intendencium, verbi Dei silencium et oblivio per defectum prædicacionis et instruccionis. Apostoli enim, ut patet Actuum xiiij°, constituerunt per singulas ecclesias presbiteros, non dicit per singulas et per diversas ecclesias ordinaverunt unum sacerdotem seu rectorem animarum, sed in singulis ecclesiis ordinaverunt singulos rectores, et quilibet rector habebat decimas, seu jus percipiendi decimas, et omnia bona debita altari ab omnibus qui curæ illius subjacebant in sua parochia; ita quod in tempore apostolorum fuit divisio plurium parochiarum, quamvis in

pluribus locis Xtianitatis nulla fuit divisio parochiarum, sed unusquisque, sicut in tempore Judicum Israel, accessit ad sacerdotem ad quem vellet accedere, et ab eo recepit sacramenta, et instruccionem, et correccionem, et eidem dedit suas decimas, et aliquando propter favorem vel placenciam alterius sacerdotis retraxit se a priori sacerdote, et contulit se et decimas suas in manus alterius sacerdotis, et sic confusio fuit et multiplex occasio multiplicis mali, ex eo quod fuit incertitudo curatorum absque divisione parochiarum in diversis locis, et ideo concilium generale generalem statuit divisionem parochiarum per universalem ecclesiam, quamvis talis divisio parochiarum in pluribus locis prius fuit in tempore apostolorum, ut testantur doctores super prædicto textu Actuum xiiij°. Juste autem et sancte rectores, habundantes in bona ejus (*sic*) oblatis, de parochianis suis dederunt sanctis pauperibus, et sanctis monachis qui sua et actus terrenos pro Xto reliquerant, ut veræ cognicioni et affeccioni divinarum rerum liberius vacarent. De bonis suis jure perpetuo contulerunt ut eorum superhabundancia illorum relevaret inopiam ; et sic apostolus beatissimus Paulus laborabat manibus suis citra tempus prædicandi, scribendi, et orandi, ne aliquem gravaret, bona recipiendo, ut patet Actuum vicesimo, et ad Tessalonicenses secundo capitulo. Sic sancti viri et monachi, ne quem gravarent, bona ejus accipiendo, et ne debita opera pro offerentibus forte omitterent, vel bonis oblatis implicati et impediti essent ab actibus virtuosis, manibus suis tempore oportuno laborabant, unde viverent et unde sanctos libros scriberent, ut patet in Epistola Sancti Jeronimi ad Cromacium et Heliodorum episcopos de invencione martilogii per Eusebium Cæsariensem episcopum, ubi Sanctus Jeronimus testatur, quod præfatus episcopus Eusebius respondit imperatori, plures dotaciones ecclesiæ suæ Cæsariensi offerenti, 'Sufficiencia habemus, et ideo oblata per te non recipimus; alios autem dispensatores et ministros bonorum talium quæras ;' et in vita Sanctissimi Martini, teste Sulpicio, reperitur, quod inter monachos suos pauperem vitam ducentes, qui prius in vita sæculari ut domini vixerant,

nulla ars admissa fuit præterquam ars scribendi et multiplicandi sanctos et necessarios libros, et tunc sancti patres de bonis annexis suis ecclesiis episcopalibus dotabant ecclesias parochiales, ut rectores sancti et scientifici earundem ecclesiarum parochialium liberius et melius operibus suis vacarent, et actus spirituales, orando, scribendo, et prædicando, per se et per alios multiplicarent. Heu! heu! qualia jam nutriuntur et multiplicantur per ecclesias appropriatas. Revera in locis plurimis multiplicacio ferculorum, juristarum et conciliariorum, temporalium actuum, et exhibicio potentum et tirannorum, quibus placent, et quibus in malis non contradicunt, ne sua bona temporalia amittant, et si pensantur æquo judicio omnia quæ ex istis bonis proveniunt, verisimile est quod non solum bona opera ex genere sed plurima mala, sine quibus prædicta bona raro vel nunquam habentur; libenter ergo inquit Sanctus Jeronimus in Epistola ad ....[1] 'carebo beneficio quod tali et tanto habetur dispendio.' 'Vestra habundancia,' inquit Apostolus, 'aliorum supleat inopiam.' Quare ergo non dantur bona superflua, annexa monasteriis et ecclesiis, aliis ecclesiis indigentibus, ut earum necessitas sustentetur monasteriorum et ecclesiarum superhabundancia? Sed heu! heu! quia munera excæcant oculos judicum, et bonorum temporalium appetitus excæcat intellectum et veri judicium, ut verum dicat quod falsum est, et e contrario, et bonum dicit esse malum, et quod malum est dicit bonum, et bonum et verum ignorat, vel non considerat, vel obliviscitur, vel errat. O quam necesse est orare juxta eloquium tuum! da michi intellectum, Domine, ne velud viri Sodomæ et Gomorræ fecerunt, per se bonum et verum falsum et malum esse putetur, et quod pessimum est, bonum putetur, ut testatur Sanctus Augustinus de verbis Domini, recitans hoc de viris in Sodomia et Gomorra, qui pessimum actum dixerunt esse bonum et licitum et non malum: 'Reddite ergo, prævaricatores divinæ voluntatis, et ordinacionis ad cor, considerantes verum evidencias, et non carnales vestras affecciones, neque dicentes, "Sic volo, sic jubeo, fit pro racione

[1] A blank in the original MS.

voluntas."' Væ illis! qui dicunt illud Genisis tricesimo 4° capitulo; unum est quo differtur tantum bonum, si circumcidamus masculos nostros, substancia virorum, et cuncta quæ possident, nostra erunt. Tales sunt qui dicunt, 'Pauperes sumus et viles, sed si voluerimus circumcidere nos, et separare a nobis vestes sæculares, et paucos eorum actus, tunc, intrantes religionem, habebimus voluntatem nostram, et desideria nostra, et servi Dei reputabimur et vocabimur, et bona habebimus temporalia ad votum ab hiis, qui credunt se actibus nostris elevari in cœlum;' et tamen dicitur in Psalmo, 'Oracio ejus fiat in peccatum.' Oracio enim fit in peccatum, seu includit malum et defectum, quando orans non orat debite; ut oraret, voce, voto, et bono opere, ut testatur Sanctus Beda in Commentariis super Evangelium Sancti Lucæ; et quando fallit illum pro quo orat, quia ille, pro quo orat, non habet tot bona opera nec tot bona multiplicata coram Deo per ipsos orantes, sicut fundator eorum, vel conferens eis bona temporalia, speravit, et ideo fraudatus est a desiderio suo. Olim enim reges habuerunt in monasteriis per eos fundatis egregios scriptores librorum magnorum doctorum, et cronicarum, temporum exemplum habentes de regibus antiquioribus, sed heu! quia jam libri inter religiosos pereunt, et deficiunt, et corrumpuntur, pocius quam de novo scribuntur. Utinam! ergo, utinam reges et domini fundatores, moti per bonos confessores, monasteriorum abbatibus injungerent et conventubus, ut certos scriptores exhiberent continue sanctorum doctorum et magnorum in sciencia, sub certis pœnis a domino rege et a fundatoribus impositis, et quod fundatores monasteriorum auxilium suum et optata præsidia ab illis retraherent, quousque per sigillum commune cujuslibet monasterii fundatori suo hoc onus, exhibendi certos tales scriptores, in perpetuum obligarent! Dicant quia cum Sancto Jeronimo monacho sancto in prologo Josuæ: 'Decrevimus, dum spiritus nos regerit, actibus scripturarum et prophetarum explanacioni incumbere.' Hæc ibi cœlestis doctor Sanctus Jeronimus sanctæ virgini Eustochio filiæ Sanctæ Paulæ viduæ tunc nuper mortuæ.

Colligite ergo, O ecclesiastici et religiosi! fragmenta scripturarum et scienciarum, ne pereant. 'Scribe,' inquit angelus sanctus Johanni in Apocalipsi, 'ea quæ vides.' Totum enim concilium Basiliense quæsivit per orbem unum librum, valde necessarium, de gestis in tempore apostolorum, et non fuit repertus integer, sed corruptus, in monasteriis. Tales redarguit Dominus, Oseæ iiij° capitulo; 'Peccata,' inquit, 'populi mei comedunt;' id est, oblata pro peccatorum remediis recipiunt, et debita curæ non fiunt. O quanta bona sanctitatis provenirent ex istis bonis ecclesiæ annexis! Sed heu! cum sederunt rectores et prædicatores manducare et bibere, tunc surgunt ludere et seipsos decipere, et aliorum curam negligere. O quanta bona opera retrahuntur a cura animarum per appropriacionem ecclesiarum et annexionem! Vera cura destruitur, et hospitalitas, et clerici exhibendi, et ad curas vocandi a studio et a cura animarum. Sufficiencia dotacionis ecclesiæ deficiente, ad opera curialia et mundana se transferunt, ut vitam suam in mundanis et caducis ducant. O quanta bona jam retrahuntur et destruuntur, et quot mala nutriuntur et non eradicantur per defectum curæ animarum quæ præcipue destruitur per appropriaciones ecclesiarum! Sed forte dicunt, 'Oramus et preces et vota offerimus pro talibus parochianis quorum bona recepimus.' Sed considerent quod verbo suo orant pro eorum salvacione, et tum per defectum curæ et per retraxionem bonorum ecclesiæ destruuntur et retrahuntur opera necessaria saluti æternæ consequendæ, scilicet, exemplum bonæ vitæ, doctrina necessaria et utilis, consilium rectum, et auxilium contra temptaciones, et elemosinæ, exhibicio et sacramentorum recta administracio. Apostolus enim præcipit elemosinam fieri ex bonis supra necessitatem superhabundantibus. Et ideo verbo orat pro salute aliorum et facto suo destruuntur, et retrahuntur salus eorundem et opera saluti æternæ necessaria; unus ergo ædificans et alius destruens, quæ utilitas verbo ædificat et factis suis salutem impedit, quia curam animarum destruit. Ideo dominus Lincolniensis, sanctæ memoriæ doctor, et episcopus, Robertus Grossetest, in propositione sua,

quam proposuit coram Papa Innocencio et cardinalibus, ostendit quod cum facta est talis ecclesiarum appropriacio, facta est in ecclesia Dei omnium malorum perpetuacio, et eandem conclusionem ostendit in Sermone suo egregio de cura pastorali, qui incipit, 'Natis et educatis.' Qui enim altari Xti serviunt, de oblatis Xto vivant; non dicit apostolus de oblatis altari deliciis nutriantur pompatice, et more gencium stipentur, et ornentur, nec quod fercula multiplicentur, more gentilium. 'Vidua,' inquit Apostolus, 'in deliciis vivens, mortua est,' i. e. separata a Dei gracia, ergo multo magis altior professio in deliciis prohibitis vivens. O quam sancta res esset, si cura animarum debita esset solicitudine provisa, ut essent pastores vigilantes et custodientes gregem suum, et per modum perpetuæ elemosinæ sanctis et devotis religiosis pensiones annuæ de magnis ecclesiis et officiis solutæ essent annuatim, ne nimia et mundana occupacione ab actubus spiritualibus scienciæ et virtutum in tantum elongarentur ut moderni sunt! Sanctus enim pater, et doctor egregius, Augustinus, Ipponensis episcopus, potius optavit se et suos confratres vivere de pecuniis ei oblatis, quam de redditibus, villis, et agris, quæ magnam et diversam exigunt solicitudinem, et implicacionem spiritus a puritate speculacionis et veræ affeccionis, seu dileccionis, et ideo si potuisset sic habere, optabilius sic vivere voluit beatus Augustinus, ut testatur Possidius Calamensis episcopus in vita quam scripsit Sancti Augustini, qui fuit discipulus ejusdem Sancti Augustini fere per quadraginta annos. O vos! qui vivitis de bonis ecclesiarum parochialium vobis appropriatis, videte an cura animarum illarum habeat requisita curæ, et saluti animarum, attendentes verba Ecclesiastici iiij°, 'Maledicentis tibi exaudietur precatio; exaudiet illum qui fecit illum.' Sed forte dicis, 'Male michi maledicit, et ideo Deus justus ipsum non exaudiet.' Revera miseriæ suæ, et peccata sua, et defectus curæ ejus necessariæ, et defectus tuus per quem bona curæ et bonus curatus retrahuntur, juste petunt et exigunt a Deo pœnam æternam tibi, qui causa es talium, ut ostendit doctor auctenticus, et cardinalis

Romanus, doctor Hugo de Vienna, super Ecclesiasticum et super Proverbia.

Quintum flumen Babilonicæ confusionis et miseriæ, plures animas destruens, est abusus sacramenti pœnitenciæ et falsæ fidei, qua homines credunt se habere veram veniam culpæ et pœnæ æternæ a Deo, per absolucionem sacerdotis, quamvis coram Deo non habent veram pœnitenciam, nec veram aversionem a peccatis, nec veram voluntatis conversionem ad bona opera, ad quæ jure naturæ et in jure divino obligantur. Heu! eo quod plures dicunt, 'Faciliter Deus remittit omne malum,' et ideo non curant mala agere nec dicere, non considerantes quod Deus dicit: 'Nisi pœnitenciam egeritis, omnes similiter perhibitis,' et, 'Non omnis qui dicit michi, Domine! Domine! intrabit in regnum cœlorum, sed qui facit voluntatem Patris mei, qui in cœlis est.' Heu! quia qui non curant peccare, quia Deus vult remittere vere conversis, faciunt, in quam in ipsis est, quod bonitas Dei sit causa quare ipsi peccare non curant. Et talibus dicit Dominus, 'An oculus tuus,' i. e. voluntas tua, 'nequam est, quia ego bonus sum?' Mathei vicesimo; quia Deus misericors est vere conversis, ideo non curant peccare et falsum credunt de Deo, scilicet Deum dare sic veniam, graciam, et gloriam modo quo ipsi volunt, non considerantes quod Dominus dicit Jeremiæ quinto decimo, 'Si Moyses et Samuel orarent pro populo isto, non exaudiam eos,' scilicet, ut populus veniam habeant et graciam, quia nec omittunt mala debito modo, nec faciunt bona opera ad quæ tenentur. Dominus enim dixit Ezechielis xviij°, 'Si impius egerit pœnitenciam ab omnibus peccatis suis quæ operatus est, et custodierit universa præcepta mea,' scilicet, quæ facere debet, 'vita vivet et non morietur,' id est, tunc a Deo non separabitur; super quo textu sic scribit Sanctus Jeronimus, doctor cœlestis, in Commentariis suis super Ezechielem. Vide, qualem pœnitentem suscipit Deus ad graciam et veniam; scilicet, eum qui vere a peccatis avertitur, et ad bona opera debita recte convertitur. Videat ergo pœnitens, et diligenter a scien-

tificis et bonis viris quærat, quæ opera et quos actus bonos tenetur facere ex judicio divino, quamvis nullus sacerdos in terris illos actus sibi imponat nec injungat. Non solum enim ad pœnitenciam arbitrariam attenderent pœnitentes, scilicet, ad illam quam sacerdos præcipit et injungit ex suo arbitrio, ad quam pœnitens non tenetur, nisi sacerdos ei hanc injungeret et imponeret, sed præcipue attendat pœnitens ad ea quæ præcipit Dominus in lumine intellectus vel in sacra scriptura, et dicat vero confessori et discreto illud quod dixit unus Actuum sexto decimo: 'Domine! quid me oportet facere ut salvus fiam?' Cum enim homo obligatur sub pœnis ad mandata implenda hominum, quanto magis obligatur sub pœnis ad præcepta et judicia Dei, scilicet, odire offensam Dei, et Deo offerre quæ abstulit a Deo, sc. honorem, et amorem, et animas, verbo, facto, vel exemplo bono, Domino adquirere, quas prius verbo, vel facto, vel bono omisso, vel defectu suo, a Deo retrahebat, et a virtutibus ad vicia. Et si mala eleccione, vel collacione beneficii, vel ecclesiæ, vel officii, vel procuracione, aliquem inhabilem seu viciosum in regimine hominum poni consenserit, unde et per quem mala proveniunt, et bona et virtutes pereunt, et mala debite non destruuntur, tunc talis tenetur ad plurima, ut nocte et die laboret per se et per alios pro talium reformacione, sicut Sanctus Paulus conversus a peccatis quæ ignoranter fecit mox evangelizavit, et docuit, et defendebat fidem et virtutem, quam aliquando expugnabat et odiebat, ut patet ad Galathas; non est enim facile exprimere ad quem et ad quot tenetur, qui malum, vel inhabilem episcopum, vel abbatem, vel aliquem rectorem populi, male inducit, vel promovet, vel in suo officio favet, vel retinet malo amore vel malo favore, vel pro malo timore, ut ostendit doctor Willelmus de Alverina, episcopus Parisiensis, opere suo nobili et fructuoso de sacramentis, capitulo de satisfaccione; quia satisfaccio non est solum facienda de re temporali ablata, sed de bono naturæ et graciæ et gloriæ ablato; unde primo Regum sexto, 'Quod debetis reddite Deo

pro peccato et tunc curabimini.' Redde ergo quod debes, affectu et effectu, et si non potes effectu, affectu restitue, et clama, 'Domine! Domine! copiosa redempcio, solve pro me, et retribue pro me!' Sed 'væ illis!' dicit Dominus, Ysaiæ quinto capitulo, 'qui justificant impium pro muneribus,' i. e. qui dicunt impium justum esse coram Deo, 'et qui dicunt bonum esse malum et malum bonum.' Tales dicunt, si sacerdos absolvat vocaliter hominem, salvus est a peccatis, et tamen forte non est absolutus a Deo, quia non habet requisita ad hoc, quia Deus pocius quærit vitam spiritualem a pœnitente et bonam voluntatem quam sentenciam sacerdotis, ut testatur Sanctus Jeronimus super Matheum, capitulo sexto decimo: sentencia enim sacerdotis in absolvendo requiritur, si assit facultas, set magis requiruntur opera seu actus, sine quibus Deus, principalis absolutor culpæ et pœnæ, non justificat impium; solus enim Deus, qui fecit animum, justificat animum, ut testatur Sanctus Augustinus, libro suo iij°, contra omnia opera Petiliani, episcopi Donatistarum. O quam fatui sunt! qui dicunt, Non curo quæ ago, quia si sacerdos ponat manum suam super caput meum, et dicat, 'Absolvo te,' salvus ero, et ita mundus, sicut cati me lamberent. Et quam stulti et errantes sunt tales, quia tali facilitate decepti, dicunt, Non curo quæ mala facio, quia cito et faciliter veniam culpæ et pœnæ habebo! Sciant, sciant, quod in voluntate Dei consistit an salvi erunt, an non. Nec est Deus ut homo, ut mutetur, nec ut decipiatur; talibus Dominus prædixit, 'Væ!' Ezechielis xiij°, 'quia vivificabant animas quæ non vivunt, mencientes populo meo, credenti mendaciis; et interficiunt animas quæ non moriuntur, et vivificabant animas populi mei, et violabant me ad populum meum.' Ezechielis xiij° capitulo. Ipsi violant Deum, in quantum in ipsis est, qui dicunt Deum velle et facere aliquid, quod, si Deus faceret, violatus esset et violatus reputaretur, quia tunc in se malum faceret. Aliqui enim credunt Deum dare quod non convenit Deo dare, sicut veniam peccatorum illis, qui veniam per malam suam voluntatem

non merentur, ut testatur Sanctus Thomas secunda secundæ de præsumpcione. Vivificant animas quæ non vivunt, qui dicunt animas vivere bene coram Deo, et esse secure coram Deo de gracia, venia, et gloria, et tum sic coram Deo animæ illæ non sunt, sicut dixit Dominus Apocalipsis iij°, 'Nomen habes quod vivis, et mortuus es.' Et illi vivificant vocaliter, et in verbo, animas quæ non vivunt vita graciæ realiter coram Deo, qui affirmant vel sentenciant aliquid, cujus contrarium Deus sentenciat, quibus dicit Dominus, per Malachiam prophetam, 'Maledicam benediccionibus vestris,' i. e. illis quos vos erronee absolutos dicitis, et illis malis, quos adulando bonos eos dicitis, et sentenciis vestris contradicam, ut testatur Sanctus Jeronimus ibidem in Commentariis suis. Item vivificant male animas, et false, qui peccata deleri [dicunt?] corporali elemosina, sine vera conversione a peccato ad bonum contrarium. 'Date,' inquit Dominus, Lucæ xj°, 'elemosinam, et omnia munda sunt vobis.' Non dicit Dominus, Date quamcunque elemosinam, et omnia munda vobis, sed quandam elemosinam dare præcipit, qua mundantur peccata, scilicet, vere misereri animæ tuæ propriæ, culpam recte deferendo et Deo placendo. Dominus enim, Lucæ xj°, reprehendebat scribas et Phariseos, et dixit, væ illis! quia credebant se habere veniam a Deo per elimosinas corporales, sine conversione a peccatis, et sine aliis operibus justiciæ, quorum debitores erant coram Deo. Ideo enim decimabant scribæ, i. e. legis Mosaicæ doctores, et Pharisei, i. e. prætense viri strictæ religionis. Ideo, dico, decimabant scribæ et Pharisei mentam, rutam, et ciminum, Lucæ xj°, ut elimosinas corporales pro Deo et pro venia habenda facerent, et tamen Deus dixit eis, 'Væ vobis! qui sic decimatis,' sc. propter elemosinas corporales faciendas, 'et relinquitis ea quæ graviora,' i. e. magis necessaria, 'sunt, legis judicium, et caritatem Dei.' Quod deforis est, mendatis, quod autem intus est vestrum, plenum est rapina et iniquitate. Hæc Sanctus Augustinus de elemosina in libro suo vocato Encheridion, id est, libro manualis et portabilis:

'Reddite ergo, prævaricatores ad cor, i. e. ad intellectum, considerantes quod Sanctus Petrus fuit in carcere vinctus cathenis duabus inter duos milites.' Sic spiritualiter existens in magnis peccatis, tanquam in carcere miseriæ, est vinctus duabus cathenis, sc. ignorancia et impotencia; ignorancia est quando non intelligit homo statum miseriæ suæ in qua est, et quando non considerat quæ vera sunt, sed credit palpantibus et adulatoribus, qui false sibi placent, qui dicunt peccatum non esse peccatum, vel parvum esse, et faciliter habere veniam a Deo, et ideo non curandum esse de peccato. Item ignorans est qui errat et deviat a vero, et obliviscitur ea ad quæ attenderet, et velut cæcus ducitur in foveam culpæ et pœnæ inter carnem et diabolum, qui sibi dominantur, et suam in eo exequuntur voluntatem et potestatem, et tunc excæcatur utroque oculo cum Sedichia rege. Inde ducitur in via voluptatis suæ, quæ videtur sibi recta via, sed, teste Job, novissima ejus ducunt ad mortem, i. e. ad pœnas æternas. Alia cathena peccatum consequens est impotencia eorum, quæ homo ageret, et impotencia exsequendi et attingendi illa bona, quorum homo in natura sua est capax; homo enim, per longum usum et longam consuetudinem peccati, inducitur in difficultatem tantam boni, et in tantam pronitatem mali, quod videtur necessitas ad peccandum, et carencia potestatis ad resistendum, vel ad redeundum a malo; de qua necessitate loquitur propheta, cum ad Dominum orat, 'De necessitatibus meis, eripe me, Domine!' Tunc necesse est ut oracio fiat ab ecclesia, et a bonis viris, quia magnus peccator est in carcere miseriæ sub potestate Sathanæ, sicut Sanctus Petrus fuit in carcere corporali sub Herode impio rege. Clama ergo, educ, Domine! de carcere animam meam ut confiteatur magna tua opera. Domine! periit fuga a me, quia sine gracia tua surgere nequeo nec lumen cœli videre, et tunc angelus, i. e. nuncius graciæ Dei, percutit Petrum in latere, i. e. in corde, seu in mente, dona Dei et beneficia menti reducendo, et memoriam Xti passi menti imprimendo, et tunc surgit Petrus, i. e. peccator, vere

pœnitendo, vere confitendo, et debito modo satisfacere desiderando, et tunc venit ad portam ferream, quæ ducit ad civitatem cœlestis Jerusalem; porta ferrea, quæ ducit illuc, est gravis et magna pœna temptacionum et tribulacionum, quæ surgit quando homo malum suum relinquit, et recte loqui et agere incipit. Sed clama, O pœnitens! ad Deum perseveranter, et cotidie in gemitu cordis et in memoria Xti sanguinis, et tunc ultro, i. e. voluntate Dei, aperta erit hæc porta, i. e. devicta erit hæc importunitas temptacionum, quia tunc, gracia cooperante, non vincent ad malum concensum, neque ad bonorum actuum impedimentum, sed pungent hominem ad æterni præmii cum Deo augmentum, et tunc post gemitum pro peccatis dicat pœnitens, 'Nunc scio vere, quia misit Dominus angelum suum et liberavit me de manu Herodis et de ore leonis,' i. e. de potestate inimici mei spiritualis, et de expectacione plebis Judæorum, i. e. de illis malis æternis, in quæ mali spiritus crediderunt me casurum; omnis ergo spiritus laudet Deum in omnibus suis. Amen. Interficiunt vocaliter et per verba animas quæ non moriuntur, Ezechielis xiij°, qui contristant bonos viros minis et verbis, dicentes, 'Nisi feceritis quæ præcepimus vobis, salvi esse non potestis, et gravia mala sustinebitis.' Ipsi conantur occidere animas quæ non moriuntur, qui verbis veris et meris racionibus, per quas homo reduceretur a malo in bonum, et a falso in verum, addunt verba falsa, et addiciones apparentes, et humanas, et argumenta fucata, i. e. colorata, quæ apparent vera, et per quæ verum appareat falsum, et falsum appareat verum esse, et bonum appareat falsum, et e contrario: pro talibus dicit apostolus, 'Nemo vos seducat,' i. e. falsum pro vero acceptare faciat, et de talibus dicit Dominus Ysaiæ primo, 'Vinum tuum mixtum est aqua,' i. e. veritas tibi in verbo Dei tradita, mixta est parte verbis talibus quæ repugnant intellectui et judicio divino, et intencioni et intellectui sanctorum doctorum, qui veritates radicitus consideraverunt, et ad plura respicientes veritatem

concluserunt. 'De vultu tuo judicium meum prodeat[1],' inquit propheta, i.e. de judicio tuo, judicium meum et assercio mea prodeat, ut sentencia et conclusio mea judicio et sentenciæ Dei conformis sit, ne vagans sim per varietates opinionum, quia ubi est tanta varietas et contrarietas, ibi est in una parte falsitas. 'Non est,' inquit apostolus, 'in sermone meo,' est et non, i.e. veritas et falsitas, sed est in illo est, i.e. veritas est in sermone meo, fixa, et permanens, et aperta. Occidit eciam animas quæ non moriuntur, qui conatur trahere eos ad peccatum malo suo exemplo, vel verbo, et faciunt malum, ut aliis placeant, sicut Actuum xij°, Herodes sciens quod placeret Judæis si Petrum apostolorum principem occideret, voluit apprehendere S. Petrum, ut eum interficeret. Sic, væ illis! qui alios movent ad malum, qui nunquam forte talia mala facerent, nisi alii ipsos ad malum tale moverent. Tales dicunt illud Ysaiæ 30, 'Dicatis nobis placencia, nolite nobis videre quæ recta sunt.' Unde apostolus ait, 'A veritate quidem auditum avertent, et ad fabulas convertentur, et coacervabunt sibi magistros, i. e. conciliarios, prurientes auribus,' i. e. quærentes placere, vel veritatem tacere, vel veritatem eis placentem improbare, et malum et peccatum excusare conantes, ut malum non appareat, et sic gaudent mali, quia abscondita sunt ab oculis suis præsencia et iminencia, ut Xtus dixit hominibus Jerusalem, Lucæ 19° capitulo. Fac ergo, pœnitens! luctum, quasi unigeniti, Jeremiæ 4° cap°., i. e. qualem luctum facit mater pro unigenito mortuo, talem fac luctum, quia Deum vivum et unicum offendisti, quia debitor es talis luctus eoram Deo. Item, quia pronus es ad eadem mala, quæ fecisti et ad alia. Item, quia nescis an secundum voluntatem Dei, plenarie satisfecisti pro malis tuis commissis, et pro bonis actibus omissis, et nescis an culpa sit plenarie dimissa. Item, luge pro peccato, et operari bonum debitum non desine, qui nescis an alii pro te et per peccatum tuum sic mortui sunt, qui dampnati sunt pro quibus nunquam facere potes satisfaccionem, ut a pœna liberentur,

[1] Ps xvi.

nec ut mala eorum reformentur, pro quibus dampnantur, et tu forte causa es, seu occasio es, quare sic fecerunt, et quare, sic decedentes, æternaliter puniti sunt. Luge ergo, luge coram illo Domino qui, Lucæ 7°, non habentibus unde redderent, sc. in effectu, donavit pium habentibus coram Deo affectum. O Deus! concede, ut sacerdotes recte considerent, quomodo Deus præcepit apostolis non solum peccata remittere hiis, qui hoc vere meruerunt, sed eciam quod non remitterent neque absolverent, nisi quem dignum a Deo absolvi per evidencias crederent. Unde Johannis 20, Xtus non solum dixit apostolis, 'quorum remisistis peccata remittuntur,' sed, 'quorum retinueritis peccata retenta sunt.' Teste enim Sancto Ambrosio, libro secundo De Pœnitencia, Sanctus Petrus Symonem, Actuum 8°, non absolvit, quem in obligacione iniquitatis manere pronunciavit. Teste enim Sancto Ambrosio, De Pœnitencia, contra Novatum hæreticum, et ejus sequaces Novacianos, sacerdos alium audiens in confessione et ipsum decipiens quia sine debita confessione ipsum vocaliter absolvit, qui a Deo absolutus non est, non ipsum hominem a peccatis exuit, sed seipsum sacerdotem in peccatum induit, quia sacerdos peccat quia debitum suum coram Deo non facit; forte ad archam Domini cum Moyse non cucurrit, ad quærendum Domini voluntatem et responsum; i. e. forte non quæsivit in mente, nec scripturam divinam, nec sanctorum scripta investigavit, ut sciret quid confitens facere tenetur coram Deo pro venia et gloria habenda, nec considerat ne sentencia sua in absolvenda sit contraria sentenciæ Dei in cœlo, nec confitentem ignarum informat debite de cavendis et de necessariis fiendis pro salute æterna consequenda; sed putat se posse hominem absolvere, si ipse sacerdos voluerit, quamvis alia requisita coram Deo desunt, et confitens aliquando peccat, qui veritatem vitæ ad quam tenetur cognoscere non curat, nec laborat. Ideo si veniam habere a Deo velimus, faciamus quæ Dominus præcepit, Ysaiæ primo ca°, 'Lavamini et mundi estote,' i. e. sic mundemini a peccato, ut vere et integre mundi sitis, sic de-

lendo unum mortale quod aliud non remaneat in affectu. 'Auferte malum cogitacionum vestrarum ab oculis meis,' i. e. non solum malum opus delete, sed malum consensum quiescite agere perverse, i.e. 'cessate a malo' verbo et facto, amodo 'discite bene facere,' i. e. quærite et cognoscite opera bona et actus, qui coram Deo fieri debentur. Non enim dicit, Bene facite, sed, 'Discite bene facere,' ut per hæc verba sciamus quod Dominus vult nos quærere et studere, ad cognoscendum ea quæ saluti animæ pertinent, et opera illa quæ, ex jure divino, facere tenentur, ut testatur Sanctus Jeronimus, in Commentario suo super Ysaiam, libro primo; et opera aliqua ibi Dominus nominat, quæ facere tenentur, 'Quærite judicium, subvenite oppresso, judicate pupillo, defendite viduam;' tunc 'si fuerunt peccata vestra ut coccinum, i. e. magna et intensa, quasi nix dealbabuntur,' i. e. vere a meo Deo remittentur et delebuntur. Sacerdos enim audiens confessiones prudenter interroget et quærat, per raciones et evidencias sanctorum doctorum et scripturæ sacræ, quæ sit via recta in quam pœnitens, bona et suavi informacione et doctrina confessoris, inducatur, et quæ sunt viæ sinistræ, quas ipsum fugere oportet, cum semitis, i. e. cum occasionibus propinquis peccati, in visu, tactu, loquela, et in pestiferis osculis, quæ mentem osculantis ardori libidinis conglutinant. Vipera enim, osculando masculum, abscindit ejus caput, ut testatur Sanctus Isidorus in libris Ethicarum[1]; sic revera oscula libidinosa et amplexus elongant mentem a virtutibus et involvunt in terrenis et carnalibus desideriis. Consideret quod peccator non potest a peccatis hominem absolvere indifferenter, ut ipse vel ut confitens vult, sed ut velle debent; non enim ut voluntas, sed ut racio exigit, debeat sacerdos absolvere, unde angelus dixit Sancto Petro apostolo, post ascensionem Xti, Actuum x°, 'Quod Deus mundavit, tu ne commune dixeris,' i.e. immundum, i.e. ne dicas tu, Petre, illud esse immundum quod Deus ipse mundavit, nec dicas esse mundum, nec a peccatis absolutum, quem Deus immundum esse

[1] The passage referred to is in the 12th book of Isidore's Etymologiæ.

judicat et sentenciat, quia tua sentencia conformis esset cum divina. Hæc Sanctus Bedam (*sic*), opere suo super Actus Apostolorum misso Sancto Accæ, episcopo Augustaldensis, i. e. Exham, quæ est in Boria Angliæ. Quære ergo diligenter cum Moyse, ad archam sacræ scripturæ, quæ sit voluntas Dei bona et perfecta, ut absolvas quem credis dignum a Deo absolvi; et quære a pœnitente statum suæ voluntatis, an velit ammodo non peccare, et an vere velit et proponit actus debitos facere, quos tenetur facere secundum exigenciam peccati quod fecit, et secundum exigenciam officii sui et personæ, quia secundum diversitatem culpæ est debita diversitas actus satisfactorii. Infundat quisque pius confessor vinum et oleum, i. e. ostendat actus justiciæ debitæ, et actus misericordiæ, infinitæ bonitatis Dei, qui mox aufert iniquitates, donat veniam, dona confert gratuite, et mala priora non improperat, et quos abduci in via ducente ad inferos juste permisit, hos gratuite, cum vult, et misericordissime in viis Dei, i. e. in opera Deo placentes (*sic*) reducit, et secum in perpetuum coronat, et sic 'deducis ad inferos et reducis,' inquit Anna, primo Regum 2°; vera enim pœnitencia est abhominacio peccati cum voto cavendi, confitendi, et satisfaciendi, ut testatur Magister Ricardus de Sancto Victore, in libro suo De potestate absolvendi et retinendi peccata. Inter cætera opera, confessor præcipue attenderet per raciones et scripturam sacram, quod sentencia sua in dicendo et in absolvendo conformaretur judicio divino; sicut ignorante Petro apostolo Gentiles vocandos esse ad fidem Xti, et ipso judicante Gentiles esse immundos, finaliter vox de cœlo Sancto Petro apostolo facta est, Actuum decimo capitulo, 'Quod Deus mundavit, tu commune ne dixeris,' i. e. immundum. Omne enim immundum commune vocabatur in populo Israel, quia Deus voluit ut sentencia Petri apostoli et tunc Papæ esset conformis sentenciæ Dei, unde ei præcepit, 'Ne dicas esse immundum, quod Deus mundavit;' et pari racione ne dicas mundum, vel a crimine absolutum, quod Deus non mundavit; et ideo Sanctus Petrus apostolus, considerans omnipoten-

ciam Dei, et libertatem, dixit Actuum xj°: 'Ego quis eram qui possim prohibere Dominum?' i. e. non possum prohibere Dominum; et sicut non potest Deum prohibere, sic voluntatem Dei ad aliquid volendum vel faciendum non potest compellere. Non est enim qui potest resistere voluntati tuæ, Domine! unde Actuum primo, 'Oportet impleri scripturam, quam prædixit Spiritus Sanctus.' Ideo enim Sanctus Petrus plura fecit, quia Deus illa fienda Sancto Petro ostendit, unde Actuum x°, 'Michi,' inquit, 'Deus ostendit.' Sed heu! quomodo fiendum a Deo ostenditur quod racio manifesta et scriptura sacra contradicunt? Quomodo absolvitur ab homine qui coram Deo absolvi non meretur? Ne ergo dicant homines, sicut moderni fatui dicunt, 'Faciliter omnia peccata mea remittentur, si sacerdos manum suam michi imponat, et verba absolucionis dicat, et ideo non curo agere quæ volo.' 'Nolite,' inquit Dominus, Jeremiæ 7°, 'confidere in verbis mendacii,' id est, in verbis falsis, dicentes, 'Templum Domini! Templum Domini!' i. e. nolite dicere hoc falsum, quod prius dixistis: 'Templum Domini tale est, et tantæ efficaciæ, quod, per oblacionem et preces factas ibi, omnia peccata remittentur michi, sine aliis operibus requisitis;' quod falsum esse Dominus ostendit, Jeremiæ 7°; facite ergo dignos fructus, i. e. 'digna opera pœnitenciæ,' Lucæ 3°.

Sextum flumen Babilonicæ confusionis et destruccionis est falsa fides, quam aliqui habent in indulgenciis concessis a papa, vel ab homine, quam a Deo non habent, quia non habent requisita ad talem veniam coram Deo. Indulgencia enim est vera seu plena mali remissio seu deleccio, sicut declarat Sanctus Augustinus in Sermone super versum Psalmi 67, 'sicut deficit fumus deficiant;' indulgencia enim vera et preciosa res est, et digno precio apprecianda, et est emenda a tali precio, quali emit et illam meruit sancta dilectrix Xti Maria Magdalena, quæ in omni parte sui tot obtulit Xto holocausta, i. e. actus bonos et Deo placentes, quot in se prius habuit peccati oblectamenta, ut testatur Sanctus Gregorius in Omelia sua Lucæ 7° cap°. Exemplum

indulgenciæ ostenditur a Sanctissimo Paulo apostolo, qui secunda ad Corintheos 2°, in persona Xti, i. e. vice Xti, donavit vere pœnitenti et longam pœnitenciam et aptam agenti, pœnas positas ab homine ab illo fornicatore qui prius fornicando tenuit novercam suam, sc. uxorem patris sui, qualis fornicacio, teste apostolo, non fuit inter gentes, i. e. inter Gentiles, et quando publicam et veram pœnitenciam idem publicus peccator fecisset, remisit sibi apostolus, vice Xti, continuacionem ejusdem pœnæ publicæ et suspensionis a comitia hominum et ecclesiæ; scribens 2ª ad Corintheos 2°, 'Sufficit sibi hæc pœnitencia,' ne dampnetur pro præterito, et ne aliquis agat pœnam publicam pro illo peccato; super quo textu 2ª ad Corintheos 2° testatur Doctor Heymo, quomodo Sanctus Paulus nunquam absolvebat hominem a peccato, nisi prius habuit evidenciam quod Deus ipsum absolveret. Rem enim temerariam faciunt, teste Sancto Jeronimo super Danielem, qui faciliter dicunt, 'Faciliter remittit vobis Deus omne peccatum,' quia beatus Daniel propheta, præscius futurorum, dubitando dixit: 'Peccata tua elemosinis redime[1], forte remittet tibi Deus peccata tua;' et Sanctus Petrus ait Symoni, 'Pœnitenciam age, et roga Deum, si forte remittatur tibi hæc cogitacio,' i. e. malus consensus tuus. Dubitavit enim Sanctus Petrus an Symon digne ageret coram Deo pro venia a Deo habenda. Non enim dixit, Da hoc, vel hoc, et veniam Dei habebis, quia Symon in hoc peccavit, quod donum Dei existimavit pecunia possideri, Actuum 8° ca°. Solent enim patres ecclesiæ indulgencias concedere vere pœnitentibus, confitentibus, et satisfacientibus, per viam commutacionis commutando, sc. opera pœnalia seu pœnitencias positas in jure in alios actus meliores. Satisfaccio enim duplex est, una consistit in reddicione voluntaria boni equivalentis bonitati ipsius Dei, contra quem fit offensa, unde satisfaccio dicitur faccio satis, sc. quantum Deus requirit; de qua dicit Dominus, Actuum 20 sexto, 'Dicetur tibi,' sc. Paulo, 'de omnibus quæ te oportet facere.' Alia est satisfaccio

[1] Dan. iv.

quæ consistit in voluntaria perpessione seu affliccione pœnæ in se ipso qui peccavit, eo quod ordinatur pro pœna, ut declarat Sanctus Thomas, Contra Gentiles, libro 4°, cap°. 72°, et doctor subtilis super 4^m^ senten-ciarum, distinccione 15ª; et de ista pœna satisfactoria dixit Dominus Ananiæ, de Sancto Paulo, Actuum ix°, 'Ego ostendam ei quanta oportet eum pro nomine meo pati;' et sic satisfaccio includit ea opera quæ tenetur agere, et pœnas quas tenetur pro peccato suo pati. Dominus autem, Exodi 32°, populo Israel remisit pœnam unam, sc. quod non subito delerentur tunc, sed meritis et precibus Moysi, aliis pœnis reservabantur; et 2o° Regum xij°, Dominus transtulit peccatum David pœnitentis, i. e. remisit ei pœnam æternam, et reservavit eum pœnis temporalibus, finem habentibus, ut declarat Sanctus Gregorius, libro . . . Moralium, et pro istis pœnis minuendis et remittendis conferuntur indulgenciæ. Non enim solvitur homo per indulgencias ab aliquo actu necessario et debito, quem tenetur coram Deo facere, sed a pœna quam ex lege sustineret vel ex arbitrio judicis, et ideo pro pœnis seu pœnitenciis canonum delendis et remittendis, præcipue ordinantur indulgenciæ concessæ ab ecclesia. Sed qui pœnitenciam omnem arbitrariam a sacerdote in foro pœnitenciæ injunctam sponte respuit, non video qualiter revera pœnitens sit, nec qualiter capax indulgenciæ, nec video qualiter paratus est sustinere pœnam a Deo infligendam post mortem, qui hic omnem respuit pœnitenciam arbitrariam injunctam. Dominus enim Deus, qui veram indulgenciam efficaciter confert vere pœnitentibus et conversis, unde Ysaiæ 43°, 'Ego sum qui deleo iniquitates tuas.' Injuria enim Dei includitur in omni peccato mortali, et illa injuria est impietas, de qua David propheta testatur, 'Tu remisisti impietatem peccati mei.' Pro hac remissione consequenda dicit sanctus Baptista, Mathei 4°, 'Facite dignos fructus,' i. e. opera pœnitenciæ, 'et nolite dicere intra vos, patrem habemus Abraham,' quod est dicere, Nolite credere, quod meritis et autoritate magni patris Abraham vestra peccata remittentur, sed con-

siderate quod Xtus dicit in Evangelio esse complendum: 'Nisi pœnitenciam egeritis, omnes simul peribitis;' et Sanctus Petrus, illis qui ignorabant peccata esse opera quæ fecerunt, dixit, Actuum 3°, 'Pœnitemini et convertimini, ut deleantur vestra peccata;' ostendens in hiis verbis aversionem a peccato, et conversionem ad bona opera debita necessaria esse ad veniam veram consequendam a Deo. 'Pœnitenciam enim certam,' ut testatur Sanctus Augustinus, 'non facit nisi odium peccati et amor Dei, ut tibi amarum sapiat in anima quod dulce fuit in vita, et quod te prius delectabat in corpore, ipsum te cruciet in corde. Jam tunc bene ingemistis (*sic*) ad Deum et dicis: Tibi soli peccavi, da misericordiam misero, qui tamdiu pepercisti criminoso. Inclinet ad remedium humilitas pœnitentis, quem permonere non potuit diuturnitas peccati peccatoris. Dic illi in fletu cordis: Aspice ad me infelicem pietate immensa, respice crudelem misericordia publica, desperatus, sc. de viribus meis, ad omnipotentem venio, vulneratus ad medicum curro, serva pietatem mansuetudinis, qui tamdiu suspendisti gladium ulcionis; dele numerositatem criminum multitudine misericordiarum.' Hæc Sanctus Augustinus Sermone centesimo, 2° sermone, sc. secundo De Nativitate Domini; et subdit in eodem sermone: 'Illa est vera pœnitencia quando sic convertitur quis ut non revertatur, quando sic pœnitet ut non repetat; multi enim assidue se dicunt peccatores, et tum adhuc delectat eos peccare, professio est et non emendacio; accusatur anima et non sanatur, pronunciatur offensa sed non tollitur.' Hæc ibi sanctus doctor Augustinus. Dominus enim, 32° cap°. Exodi, placatus est, ne deleret populum Israel orante Moyse servo Dei, et tamen omnem pœnam eis debitam tunc non dimisit. Unde postea, in eodem ca°., Dominus dixit, 'In die ulcionis visitabo,' i. e. puniam hoc peccatum eorum; et Numeri vicesimo 4° dixit Dominus Moysi, 'Dimisi populo Israeli juxta verbum tuum ut, sc., eos jam non deleam, et jam non consumam. Attamen omnes qui non obedierunt voci meæ non videbunt terram, sc. promissionis, filii autem vestri erunt vagi in

deserto annis 40, et portabunt fornicacionem vestram,' i. e. punientur vobiscum, quia filius quasi pars patris est, per decisionem seminis; ex quibus patet quod Dominus, dimittens eis certas pœnas, alias non remisit, quin postea illas pœnas solverent et sustinerent. Solent enim sancti patres ecclesiæ remittere et laxare certas pœnas positivas et ab homine vel a jure ecclesiæ impositas, et hoc præcipue fecerunt quia sine illis pœnis salus animæ haberi potuit, et remittendo illas pœnas, vel illas pœnas retrahendo, ad actus virtutuum meliores pœnitentes ipsos præcipiendo obligabant, et ipsos pœnitentes solvebant, i. e. ad condignam satisfaccionem juste remiserunt, ut testatur Ricardus de Sancto Victore in libro suo De potestate absolvendi et retinendi peccata. Caveant ergo peccatores, ne sint similes hominibus Jerusalem, non vere pœnitentibus, nec vere satisfacere volentibus, de quibus dicit Dominus, Jeremiæ 15°, 'Si steterunt Moyses et Samuel coram me, non est anima mea ad populum istum;' et Jeremiæ 14°, 'Noli orare pro populo isto, in bonum, sc. ut veniam habeant, dum tales permanent; cum jejunaverunt non exaudiam preces eorum;' et causa redditur, Ysaiæ 58° ca°., 'In diebus jejunii vestri invenitur voluntas vestra, i. e. non Dei, sed vestras facitis voluntates, ad lites enim et ad contenciones jejunatis.' Ideo, O bone Jesu! 'sane me, et sanabor; salvum me fac, et salvus ero;' 'dicas tu verbum et sanabitur puer meus,' i.e. anima mea. Aliqui enim dicunt, et false, quod quilibet dies pœnitenciæ voluntariæ in hac vita est sufficiens pœna seu pœnitencia ad remissionem pœnæ annualis in quocunque post hanc vitam; et hoc falsum dictum Domini Ezechielis quarto, contra intellectum Domini allegant. Dicit enim ibidem Dominus, 'Diem pro anno dedi tibi,' i. e. per quot dies tu, Ezechiel manebis in hoc loco, per tot annos erit populus Israel in captivitate antequam libertas eis dabitur, in tempore Assueri regis, et Hester reginæ; et inde ut testatur Sanctus Jeronimus super Ezechielem in Commentario suo. Qui ergo ista verba ad sensum suum et ad intellectum alienum ab intellectu illa verba primo dicentis

trahunt, verba Sancti Jeronimi in prologo Bibliæ considerent, sc. in epistola Sancti Jeronimi ad Paulinum de Senatore presbiterum. Viciosissimum dicendi genus est depravare sentencias et ad voluntatem suam sacram scripturam trahere repugnantem. Illas ergo veritates de indulgenciis ab homine concessis teneamus, quas sancti patres et magnæ scienciæ doctores magnis et apertis ostendunt racionibus et manifestis sacræ scripturæ testimoniis; tanta enim potest esse conversio et amor divinus in animo pœnitentis quod si mox anima esset separata, totalem prorsus habent pœnæ prius debitæ remissionem, ut ostendit Sanctus Thomas in 4° libro Sentenciarum. Tum falsum est quod quælibet dies pœnitenciæ in quolibet pœnitente in hac vita meretur a Deo remissionem annualis pœnæ in purgatorio seu post hanc vitam. Plures enim dicunt, 'Domine! Domine! aperi nobis,' sed quia corde et opere non clamant ideo audiunt, 'Nescio vos,' i. e. non approbo. Ideo cum concilio sanctæ viduæ Judit, 'Indulgenciam Dei fusis lacrimis postulemus, et humiliemus illi animas nostras, et in spiritu contrito et humiliato servientes illi dicamus, flentes Domino, ut secundum voluntatem suam sic faciat nobiscum misericordiam suam.' Judit 8° ca°. O quociens audivi mundanos et carnaliter viventes pompatice dicere, 'Non curo homines indictare, lucra magna ad votum adquirere, viduas et pauperes exquisitis et apparentibus mediis depauperare, si enim pessime egero, per visitacionem talis ecclesiæ et per oblacionem pecuniæ plenariam remissionem culpæ et pœnæ habebo!' O quam cæci sunt mente qui talia falsa dicunt! Quomodo solvitur vinculis qui vinculis detinetur? Quomodo solvitur a peccatis qui non relinquit commissa nec affectu nec effectu facit opera coram Deo debita? Qui ergo dicunt, se sine operibus requisitis coram Deo veniam a Deo habere, violant Deum in quantum in ipsis est, quia dicunt Deum velle illud quod non vult, nec convenit Deo sic velle, et dicunt Deum dare veniam, graciam, et gloriam per talia media per quæ media si Deus daret injustus et violatus esset. Unde de talibus dicit Dominus, Eze-

chielis 13° ca°., 'Violant me ad populum meum propter pugillum ordei, i. e. pro donis, ut vivificarent, sc. false dicendo animas quae non vivunt, mencientes populo meo credenti mendaciis:' i. e. falsis verbis violatus Deus esset, et violatus diceretur si voluptatem peccati diligeret et si per talia opera veniam suam et graciam conferret. 'Pecunia tua,' inquit Sanctus Petrus, 'tecum sit in perdicionem, quia donum Dei existimasti pecunia possideri;' Actuum 8°. Converte ergo nos ad te, O Deus salutaris noster! et sicut fuerit voluntas in cœlo sic fiat. Amen.

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integritate circumstanciarum quæ requiruntur ad talem actum, ut ostendit Sanctus Thomas de Aquino super secundum Sentenciarum, et eciam doctor subtilis magister Johannes Duns. Actus enim dicitur in se malus quando tendit in objectum non suum, nec sibi conveniens, vel quia tendit in objectum conveniens actui, sed caret circumstanciis debitis actui, sc. loci, vel temporis, vel personæ, quia non convenit tali personæ vel aliis circumstanciis. Dispensans enim, vel licencians aliquid fieri, vel non fieri, et ordinans legem, vel sentencians aliquid, attendent ad verba Domini, Deuteronomii 18° ca°., 'Judicabunt tibi judicii veritatem et facies quodcunque dixerint qui præsunt loco, et docuerunt te juxta leges Dei, et qui non obediverit sacerdotis imperio morietur,' ut ibidem præcipit Dominus. Dispensacio enim vel licenciacio Papæ et alterius potestatem dispensandi habentis tollit prohibicionem humanam in lege scripta positiva; ut actus in se indifferens non sit in certis causis racionabilibus dato homini prohibitus, eo quod manifesta racio, seu rerum evidencia, demonstrat hominem in certis casibus non esse debitam materiam istius legis, ut ad ejus observanciam in tali casu obligetur. Exemplum hic est in casu. Unus homo scientificus, excellens in sanctitate vitæ, occupatus in cura magna animarum, in salute animarum consumptus ethica, i. e. consumpcione decidit in lectum, vovit pro tota vita sua stricto jejunio jejunare, tali die in qua si sic jejunet verisimile est quod periclitabit. Jam boni judicis spiritualis est discernere et judicare, ipsum non esse materiam istius legis, nec ad istam legis observanciam ligari, qua decernitur et statuitur omne votum licitum simpliciter observandum, et ista virtus seu prudencia docendi, quomodo et quando lex humana debet observari, et quando non debet observari, dicitur epikeya, ut declarat Doctor Franciscus de Maronis, De provincia Provinciæ, in libro suo De virtutibus moralibus. Provincia est nomen proprium unius provinciæ. Isto modo solebant sancti patres dispensare seu licenciare, quod idem est, sc. judicare, quomodo et quando observacio legis humanæ scriptæ, seu positivæ, tendit in augmentum et

nutrimentum majoris virtutis coram Deo, et salutis animarum, et quando observancia talis non sic cedit; et sic fecit Sanctus Papa Gregorius, ut patet in suo Registro, quando permisit Anglicos tunc vocatos Britones nubere infra 7^m gradum consanguinitatis, ne ob defectum talis licenciæ in principio admissionis fidei Xtianæ per beatum Augustinum, Anglorum doctorem, fidem Xti plures tunc in Anglia non recepissent; postea tamen, fide solidata, hanc licenciam eis non permisit, ut patet 13° libro Registri Sancti Gregorii Papæ, i.e. in 13° libro Epistolarum suarum. Aliquando enim Papa in dando licenciam non peccat, quod sancte intendens in informacione decipitur, vel veritas negocii ab illo occultatur, et vel ignorancia decipitur, vel nimia importunitate vincitur, ut testatur Sanctus Bernardus in Epistola sua ad Adam monachum quæ incipit, 'Si maneres in caritate.' Sed væ illis! a Domino Deo, qui dominum Papam sic decipiunt, vel pro lucro seu favore, veritatem ab eo occultant. Væ illis! qui contra apostolum, prima ad Corintheos 8°, utuntur licencia sua in offendiculum, et in ruinam animæ suæ, et in detrimentum aliorum: 'Videte,' inquit apostolus, 'ne licencia vestra offendiculum fiat infirmis,' i.e. occasio peccati ignorantibus et simplicibus qui ignorant et errant. Licet enim Papa dedit forte sancta intencione licenciam tibi, ad aliquid habendum vel faciendum, non tum dedit nec dare potest licenciam ad sic faciendum vel tali modo faciendum, quo modo plures abutuntur, teste Sancto Jeronimo super Matheum. Exemplum: Papa forte instructus te esse sanctum, doctum, et magni zeli virum, licenciat tibi, propter majora opera bona fienda, ut habeas duas ecclesias, duas magnas præbendas, et duo incompatibilia ex jure, et tu, abutens tua licencia, pecunias colligis, ut in voluptatibus et in mundi honore vivas, curam debitam negligis, parum quod facis, per alium facis, nec qualiter fit, attendis, tu ociosus et in deliciis ambulas, nec cooperator actuum curæ debitorum existis, sed mercedem pro sustentacione tua in cura de cura recipis, et in delicias tuas expendis, et sancta opera per illa bona ecclesiæ fienda

necligis. O quam væ tibi! qui tam 'cæcus dux es cæcorum,' ut Dominus dicit de Phariseis, Mathei 15° ca°, Væ tali! quia similis est illi, de quo testatur Holcot[1] in sermone, qui, post mortem suam apparens, dixit: 'Dampnatus sum, quia de voluntate mea implenda in certo actu mecum fuit dispensatum, sed Deus non habuit ratum, qui enim in Evangelio dixit, "Quodcunque solveris super terram erit solutum et in cœlis," non dixit homini, Quodcunque volueris in terra volitum erit in cœlis.' Deus non sic dixit, nec sic intelligi voluit, ut testatur Ricardus de Sancto Victore in libro suo De potestate absolvendi. Hominem enim aliquid ligare, præsupponit illud ab homine ligabile, et divinæ voluntati acceptabile, aliter enim dicet Dominus, sicut dixit Dominus Petro, Mathei 16°, 'Vade post me, Satana,' i. e. O adversarie voluntati meæ, sequere voluntatem meam, cui contradicis! Dominus enim, Mathei 16°, post illa verba dicta Petro, 'Quodcunque ligaveris etc.' ostendit Sancto Petro ipsum Xtum velle mori pro salute hominum. Et Petrus dixit Xto, 'Absit a te, Domine! non erit tibi hoc;' et quia contradixit Xto ideo Dominus contradixit Petro, dicens, 'Vade post me, Satana,' i. e. sequere voluntatem meam, 'scandalum michi es, quia non sapis ea quæ Dei sunt, sed ea quæ sunt hominum.' Hæc Sanctus Jeronimus super Matheum in Commentario suo, et Sanctus Beda super Marcum. Dicat ergo dispensans et licenciam recipiens: 'Quomodo fiet istud, i. e. qualiter fiet istud et qualiter utar ista licencia in Dei laudem et in animarum salutem?'

O Domine Deus! concede, ut dominus papa, et alii præsidentes, leges statuentes et decreta, et cum lege dispensantes, et contra sanctos actus licentiantes, ut non fiant, vel ut actus contrarii fiant, semper dicant veraciter cum Xto in Evangelio: 'Non veni facere voluntatem meam, sed voluntatem ejus qui misit me,' sc. Dei patris. Concede, Domine Jesu! ut dominus papa respondeat mala et contra salutem animæ suæ et contra salutem aliorum petentibus, sicut Xtus

[1] Probably Elias Holcot, Warden of Merton, 1438–1455.

respondebat filiis Zebedei, honorem terrenum petentibus, Mathei 20°, 'Nescitis,' inquit, 'quid petatis; calicem quidem meum bibetis,' i. e. pœnam prævisam per me sustinebitis; 'sedere autem ad dexteram meam vel ad sinistram non est meum dare vobis,' sic dispositis ut modo estis, 'sed quibus paratum est a Patre meo,' i. e. illis qui per vitæ merita illud meruerunt, ut testatur sanctus doctor Jeronimus, in Commentario suo super Matheum ca° vicesimo textus, quia Commentarius Sancti Jeronimi non habet capitula nisi secundum ordinem capitulorum textus. 'Domine,' inquit Petrus, 'ostende quem tu eligeris;' et Actuum xj°, 'Ego quis eram, qui possum prohibere Dominum?' i. e. non possum prohibere Dominum; et, sicut Sanctus Petrus Papa non potuit prohibere a Deo volitum, sic non potuit compellere Deum ad volendum. Concede, Domine Jesu Xte! ut dominus Papa sæpe in mente recogitet verba scripturæ sacræ secundo Paralipomenon 19° ca°., 'Videte quid faciatis, non enim hominis exercetis judicium, sed Dei, et quodcunque judicaveritis in vos redundabit; sit timor Domini vobiscum et cum diligencia cuncta facite, non est enim apud Deum iniquitas, nec personarum accepcio, nec cupido munerum.' Hæc ibi. 'Non,' inquit, 'exercetis hominis judicium, sed Dei,' id est, id quod judicatis non esset secundum voluntatem hominum, sed secundum judicium Dei judicatum. Ut sit conforme voluntati divinæ, O Domine Deus! concede ut vicarius tuus in terris, Romanus pontifex, in decretis edendis, et in præsidentibus et episcopis ordinandis, et providendis, et in dispensacionibus et licenciis concedendis vel negandis, vera mente et recto Dei zelo respondeat illa verba scripturæ sacræ, Numeri 22°, 'Si dedit michi Balac domum suam plenam auri et argenti non possum immutare verbum Domini Dei mei, ut vel plus vel minus loquar.' Sentencia enim Papæ esset conformis judicio et sentenciæ Dei, et ideo, sicut Moyses recurrebat in dubiis ad archam testamenti, ut divinam sentenciam in dubiis sibi interrogaret, sic Xti vicarius in terris scripturæ sacræ veritates et sanctorum et magnorum doctorum explanaciones et declaraciones limpido mentis

oculo jugiter aspiceret, et sic fidelis et prudens servus et dispensator domui Dei existeret fidelis in affectu, prudens in intellectu. Dominus enim Deus dixit Petro, Actuum 10°, 'Quæ Deus mundavit, tu commune, i. e. immundum, ne dixeris,' i. e. tua, O Petre, sentencia conformis esset sentenciæ Dei. 'Michi,' inquit Petrus, 'ostendit Deus,' Actuum 10° capitulo, 'ne ergo dicas immundum, quod Deus mundavit, nec dicas mundum, quod Deus non mundavit.' O quot mala secuntur et quot bona destruuntur per hæc 7 flumina Babilonicæ confusionis: ecclesiæ particulares, 'quasi tigurria in cucumerario,' desolatæ a cura et regimine relinquuntur; passim viri Belial, i. e. sine jugo racionis, in ecclesiis et officiis magnis eliguntur, seu pocius, minis, munere, vel carnali obsequio intruduntur, præsidentes et prelati, per provisiones, ecclesiarum cassatis eleccionibus vel prohibitis, pecunia precedente, loca sancta et animarum curas destruxerunt! Novi enim per unam provisionem Romæ optentam, pecuniis magnis præcedentibus, eleccionem magnæ curæ et dignitatis in ecclesia prohiberi, et divina officia per plures dies in eadem ecclesia, causa illius provisionis papalis, suspendi; canonibus secularibus ejusdem ecclesiæ optantibus per eleccionem patrem eis præsidere et pastorem; notum enim erat eundem provisum nec virtutibus moralibus ornatum, nec scienciæ lumine decoratum, nec gradus scolastici testimonio roboratum. O flumina Babilonis! quos religiosos modernos ab abitu et professione exemistis, et curatos ecclesiarum parochialium et magistros hospitalium et capellanos honoris seu verius horroris fecistis! O flumina Babilonis misera! quot reges, duces, et dominos in ecclesiasticorum vilipensionem irrumpere fecistis, eo quod, ad eorum placitum, privilegia et dispensaciones optinuerunt, et licenciam recedendi a propriis et immediatis curatis; ita ut sæpe jam fornicator fornicantem quærit confessorem, et crimine magno irretitus confessorem eodem crimine violatum quærit, vel alium, qui nescit vel qui non audet veritates necessarias confitenti explanare, nec voluntati indigne pœnitencium et satisfacere digne non volencium contradicere; et sic timor divinæ offensæ a pluribus recessit

et pudor peccati in eis non est. Sed quod abhorret Dominus, Ysaiæ 3° ca°., 'Peccatum suum ut Sodoma prædicaverunt, nec absconderunt,' i.e. peccatum suum publice ostendunt, nec abscondunt, sed cum fronte meretricis, i.e. absque pudore, applaudunt manibus et lætantur cum male fecerunt; nec attendunt ad verba Xti in Evangelio dicentis, 'Væ vobis!' sc. qui sic ridetis, quod flebitis eo, sc. quod in rebus pessimis exultatis. O Domine Deus! qui fecisti in aquis validis terram arridam apparere, et in Mari Rubro viam sine impedimento, da et concede, ut, spiritu tuo operante, exsiccentur ista flumina misera Babilonis, ut populus tuus, de captivitate peccati rediens, veras laudes et perpetuas tibi reddat in cœlesti Syon et Jerusalem. Amen.

[p. 502.] **Fides.** Si enim propter unum verbum aut duo, quæ contraria fidei sunt, multæ hæreses abjectæ sunt ab ecclesia, quanto magis hic inter hæreticos habebitur qui tantas perversitates et tanta mala dogmata contra fidem adinvenit, et Dei ecclesiæ hostis extitit. Hæc ibi de Origene, cujus ingenium, non fidem, testatur ibi Sanctus Jeronimus se laudasse. Consimiliter jam, anno Domini 1457, visum est diversis magnis et pluribus doctoribus quod libri editi, inscripti in Anglico et Latino, per Reginaldum Pecok, Wallicum, episcopum quondam Assavensem in Wallia, et postea Cicestrensem, merito abjecti essent a lectura hominum et auditura eorundem, quia, ut a plurimis asseritur et scribitur, libri sui per eum editi et scripti, in Anglicis verbis et aliqui in Latinis, continent plura falsa et perversa, et scripta 4^or^ sanctorum doctorum Jeronimi, Augustini, Ambrosii, et beati Gregorii papæ, reprehensiva. Scribitur eciam de eodem Reginaldo Pecok, quod in libro suo, quem ipse intitulat De Fide, dicit et scribit, quod hoc dictum beati Gregorii, Omelia 26, 'Fides non habet meritum cui humana ratio præbet experimentum' est falsum, et eciam ibi ponit, quod beatus Gregorius contradicit sibi ipsi Gregorio. Item scribitur de eodem episcopo Reginaldo, quod dicta doctorum non sunt credenda, nisi illa probent naturali racione, et quod sensus sacræ scripturæ nullus

est allocandus, nisi sensus quem auctor illius scripturæ primo intendebat, et quis est ille sensus, debet judicari, ut dicit ille episcopus, ab homine, pollente racione. Item in epistola sua directa, in titulo, 'Doctori ordinis fratrum minorum Godard,' vocat prædicatores modernos clamatores in pulpitis, et ante illam epistolam, diversis annis illapsis, prædicavit scandalose, quod episcopi in hoc quod episcopi sunt, non tenentur prædicare, accipiendo terminum prædicare in sua famosa significacione. Item, ibi tunc prædicavit Londoniis, in eodem loco, ad crucem sanctissimi Pauli, quod episcopi solventes Papæ Romano, antequam per papam admittantur ut sint episcopi, quinque milia marcarum, seu majorem summam, non peccant in hoc, nec hæc solvendo papæ aliquid dant papæ, ut ipse dicit, sed tantum tribuunt papæ, quod papæ est, sicut tribuit aliquis ballivus suo domino. Hæc prædicavit ibi Londoniis, ut testantur plures qui eum audiverunt. Item, ut scribitur de eo, quod non tenetur quis ad credendum sanctæ ecclesiæ determinacioni, sed debet credere quod ecclesia catholica est. Item, quod bona ecclesiastica, et diviciæ episcoporum, et aliorum virorum de ecclesia, non sunt bona pauperum, sed sunt bona ita propria ecclesiasticorum, sicut sunt bona temporalia illorum virorum qui habent illa ex hæreditate, et alia multa talia mala, ut scribitur a pluribus personis, quorum scripta sunt autentica ac credulitate digni. Audivi tunc postea, eodem anno Domini nostri Jesu Xti 1457, a quodam magistro, illius episcopi scolare, quod ille episcopus Reginaldus tenet, et ponit in libro suo De Fide, quod homo tenetur credere, seu obedire determinacioni ecclesiæ, sive ecclesia erret, sive non erret in sua determinacione, nisi homo habeat sufficientem excepcionem quare non crederet, seu quare non obediret determinacioni ecclesiæ. Hæc ipsum episcopum tenere asseruit michi prædictus magister suus scolaris; et tum beatus Augustinus, libro suo contra omnia opera Petiliani hæretici et episcopi Donatistarum, testatur quod falli potest orbis terrarum de hominum iniquitate, sed non de fidei veritate. Hæc ibi magnus doctor Sanctus Augustinus,

episcopus Ypponensis quondam in Affrica. Ille enim Pecok episcopus prædictus, qui dixit et scripsit, in libro De Fide, parte prima, ca°. 3°, quod in dictis Gregorii sunt diversi defectus, et quod dicta sua aliqua in Omelia 26ª non simul stant, dixit et scripsit in hoc valde falsum et superbum, et sic dicendo et scribendo ostendit se valde usurpare et superbe judicare de dictis et scriptis sanctorum doctorum, quorum vitam sanctam et excellentem doctrinam et scienciam et fidem Dominus Deus confirmavit esse vera, sequentibus signis et miraculis, et eciam universalis ecclesia et concilii generalis decretum, quod est 15ª distincione 'sancta Romana ecclesia.' Et eciam illi sancti dii dicuntur, in comparacione ad nos homines non sic sanctos, et hoc propter eorum excellentem scienciam et Deo placentem vitam. Item propter eorum graciam magnam et divinam eis revelacionem. Item propter eorum excellentem scienciam et experienciam diuturnam. Tales doctores debent judicari per suos pares, i.e. sancti per alios sanctos, sicut domini parliamenti in Anglia judicantur per suos pares; et dicta sanctorum et scripta sunt approbata et allegata per universalem ecclesiam Dei; ideo non est bonum sed malum recedere a studio illorum et fide, et consentire dictis et factis prædicti Pecok episcopi, qui non habet testimonium, ut sancti viri habent, nec a Deo nec ab ecclesią catholica. Quando enim Pecok, prædictus Wallicus, dixit quod Sanctus Gregorius erravit dicendo, Omelia sua 26ª, 'Fides non habet meritum cui racio humana præbet experimentum,' potuit honeste et aperte declarare veritatem hujus dicti, et sanam mentem et intellectum beati Gregorii, qui, hæc scribendo, scripsit valde verum, ut diversi doctores sanctam mentem et intentum Sancti Gregorii declaraverunt, et non vituperaverunt. Nota, secundum doctorem solennem Magistrum Henricum de Gandavo in sua Summa, et per Sanctum Thomam de Aquino, 2ª, 2æ, Racio consideratur dupliciter, sc. ut præcedit fidem, et ut sequitur. Racio præcedit fidem, quando homo non vult credere illi assercioni quæ non probatur sibi esse vera per sufficientem naturalem racionem. Sic enim adhærere fides non est meritoria. Alio

modo consideratur racio ut subsequens fidem, quando sic homo credit veritati ostensæ sibi per sufficiens testimonium Dei, scripturæ ejus, vel sanctorum ejus, et tamen post fidem sic habitam quærit raciones et evidencias ad defendendum illam veritatem, et ad solvendum dicta seu argumenta paganorum, Judæorum, et hæreticorum malorum Xtianorum, quæ faciunt seu possunt facere contra illam veritatem fidei; et sic quærere raciones post fidem habitam est bonum et multociens meritorium.

[p. 504.] 'Gloriam meam alteri non dabo,' sc. ut homo de sua natura cognoscat futura contingencia et occulta ab hominis noticia naturali; nec alteri das gloriam tuam, potenciam, sc. faciendi miracula, nisi quando vis et cui vis, in ostensionem fidei veritatis per te traditæ; sed ut mali et perversi habeant potestatem faciendi miracula, in testimonium contrarium veræ fidei catholicæ, hoc nulli sectæ dedisti, ut bene declarat Dominus Armacanus archiepiscopus Ricardus filius Radulphi de quæstionibus Armenorum.

[p. 511.] Audivi enim quendam fide dignum dicentem se audivisse inter Gentiles et Saracenos tres causas quare nolunt converti ad fidem in Xto Jesu. Una est diversitas et contradiccio opinionum inter Xtianos, in diversis sectis et in diversis materiis. Alia causa est, quia dicunt Saraceni quod manifeste patet eis in Xtianis habundare opera pessima contra fidem quam Xtiani prædicant, et sic fidem verbo testificatam factis suis impugnant, et destruunt in seipsis, et sic per Xtianos malos nomen et fides Xti blasphematur in gentibus, i.e. inter Gentiles et Saracenos, qui dicunt, si Deus Xtianorum verus et justus esset, eos graviter puniret pro eorum manifestis nequicciis. Item tercia causa erat, quia, ut dicunt Saraceni, Xtiani pessimi et fallaces sunt et dolosi, ut patet eis manifeste in Venetis, et in aliis Xtianis eis vicinis cum quibus contrahunt et facta faciunt, et consimiles eis judicant alios Xtianos fore.

[p. 519.] Hæc dominus Lincolniensis in Exposicione sua propria,

et propria manu sua scripta, super Epistolam beati Pauli apostoli ij^m ad Corintheos iiij°, et est inter fratres minores Oxoniæ et registratur 'Epistolæ Pauli apostoli;' et est ille liber in libraria conventus, sed non in libraria studencium, duæ enim sunt ibidem librariæ inter fratres minores Oxoniæ.

[Ib.] **Fides Jesu Xti.** Omnes spiritus laudet Dominum Deum, omnipotentem patrem, et filium ejus unigenitum incarnatum Jesum, et Spiritum Sanctum, qui Deus omnipotens, anno Xti Jesu 1456°, fecit magnam suam victoriam cum paucis Xtianis, suis instrumentis et ministris, contra Turcos paganos, et eorum principem perpetuæ maledictæ memoriæ, cujus nomen fuit Macometus Bey, i.e. dominus. Anno enim Domini Jesu 1456°, ipsum Turcum venientem, cum ducentis milibus armatorum et quinquaginta, et cum multis instrumentis bellicosis, vicit Xtus cum magno opprobrio ipsis tritis; fuerunt enim victi eodem anno juxta civitatem Bellegrade, i.e. 'pulcher gradus,' cituatam juxta flumen vocatum Danubium, quod est clavis et hostium civitatis Hungariæ; in quo bello 40 milia Xtianorum occiderunt centum milia Turcorum et 80 milia, et de Xtianis fuerunt tunc occisi 18 milia, et Turcus ille graviter vulneratus fuit, et occisi sunt ejus magni capitanei, et hæc acta tunc fuerunt, ibi orante Xto devoto viro fratre minore Johanne Capistrano, socio quondam Sancti Barnardini, fratris quondam minoris de observancia, qui tunc oravit coram cruce inter ipsos Xtianos, pro fide Xti defendenda tunc contra Turcos et contra paganos pugnantes contra Xtianos anno Xti m^mo cccc^mo quinquagesimo sexto, juxta aquam Danubii, juxta castrum vocatum 'altus gradus;' igitur omnis spiritus laudet Dominum semper, Amen. Hæc patent in bulla papæ Calixti iij[1], missa in Angliam archiepiscopo Cantuariensi, domino Thomæ Bourcher, et aliis episcopis, anno Xti m^mo cccc^mo quinquagesimo sexto; et eodem anno Xti, legatus papæ Calixti tercii fuit, post bellum prædictum, in diversis regnis, et in Flandria, cum signo

[1] See the Bull, dated August 6, 1457. Tom. iii. Part III. Rome, 1743.

erecto crucis in vexillo, et cum armis ipsius papæ Calixti, ad denunciandum nomine ejusdem papæ indulgenciam culpæ et pœnæ coram Deo aliis hominibus qui debite contra Turcos paganos ad bellandum progrederentur, vel naves et pecunias contra eos præpararent, vel hæc procurarent, et sic plures, ut dicitur, se ipsos ad hoc præparaverunt anno Domini m^{mo} cccc^{mo} quinquagesimo sexto, in computacione Angliæ, eodem scilicet anno in quo Lumbardi confusi sunt et convicti et verecundati per Anglicos tunc existentes in villa Burgæ in Flandria, eo quod ipsi Lumbardi dixerunt, in eadem villa, regem Angliæ et dominos et mercatores Angliæ omnes esse falsos, unde per judicem villæ et Anglicos ibi existentes plura perpessi sunt, et, ut creditur a pluribus, merito essent expellendi ab Anglia. Marcimonia enim Anglorum quasi ad nichil deduxerunt, et precium rerum, quas ipsi Lumbardi in Anglia vendunt, exaltaverunt in Anglia a quatuor solidis usque ad iiij nobilia Anglorum. O Anglia! Anglia! O si miserias tuas proprias debite pensares, et peccata tua debite plangeres, ut veniam coram Deo mererere!

[p. 522.] Utrum in eadem fidei forma, i. e. in autentico symbolo, quod apostoli tradiderunt, hoc scriptum legeritis? Et istud est contra Reginaldum Pecok, Wallicum, isto anno 1457 existentem episcopum Cicestrensem, per istum vocato 'Provoker,' symbolum commune non esse apostolorum Xti sed novellam esse invencionem a nullo clerico allocandam.

[Ib.] Si quis est talis, qui nichil vult credere quod non possit racionibus naturalibus probare, quod est esse sapientem in hoc sæculo, dimittat hanc sapienciam et credat auctoritate primo sine racione, ut tandem sit sapiens, vere attingens ad scienciam eorum quæ supra naturam sunt, non per perturbaciones naturales, sed per raciones ordinarias, quæ monstrant Dei omnipotenciam, sapienciam, et bonitatem congruere, ut talia faciat. Hæc dominus Lincoln super textum Apostoli Pauli ad Cor. 3° cap°.

[p. 525.] **Fornicacionis signa aut motiva.** Noë maledictum esse

Canaan prædixit, quia in spiritu novit quod esset imitator paterni sceleris, sc. Cain, qui risit videns verenda patris sui Noë nuda, et patet Genesis nono ca°.; ergo maledictus est a Domino non solum qui ea videt ad delectacionem malam, sed eciam qui ea ostendit illa de causa; et ideo Sanctus Martinus prohibuit talia revelari in uno servo suo sedente juxta ignem, ut patet in vita sua.

Item, Dominus prohibuit, Levitici 20°, talia membra ostendi.

Item, Adam et Eva post peccatum suum erubescebant videre sua propria membra secreta, et ideo illa tegebant foliis ficuum, noverunt enim quod omnes posteri concepti et nati ex illis membris essent nati in peccato originali, et quod essent filii iræ, i.e. dampnacionis; sicut nos jam sumus ante baptismum, nisi ex gracia Dei speciali fuerit aliqua persona custodita sicut creditur de beata Maria, semper virgine, quæ fuit ita pura in ejus origine, ut creditur, per graciam, sicut Eva fuit, prima mulier.

Fornicacio autem et actus copulæ carnalis facit hominem bestialem et impotentem mentis suæ propriæ.

Item, non permittit hominem pro tempore illius actus cogitare aliud quam illud in quo carnaliter delectatur.

Item, non permittit hominem considerare futura mala, in quæ per peccatum suum incurrit, ut patet Lucæ 15°, de filio prodigo.

Item, causat in homine passiones arteticas et illas infirmitates quæ causantur ex nimia resolucione.

Item, causat in prole concepta morbum hæreditarium, et consimilem inclinacionem et disposicionem, qualis fuit in generante, vel in concipiente, quamvis forte proles nunquam videat patrem nec matrem, ex quo patet quod disposicio manet in semine, unde patrem sequitur sua proles.

Item, non sinit hominem pure cogitare quæ Dei sunt nec quæ futura sunt, et sic sequitur ex eo cæcitas mentis et debilitas cerebri.

[p. 526.] **Fornicacio.** Bonus Willelmus de Cornubia, heremita

quondam in Nubrige, solebat dicere, quando fuit motus seu temptatus ad peccandum: 'O peccatum! quanta solvam pro te, si te recipiam, et tibi consenciam; solvam pro te, et patiar pro te peccato, si tibi consenciam, carenciam graciæ Dei et gloriæ æternæ, et plura pœnalia patiar pro te: nolo ergo, O peccatum! solvere tot et tanta pro te habendo, tot enim mala et pœnalia solvam pro te peccato, et tot mala sustinebo pro te, si tibi consenciam; nolo ergo, O peccatum! habere te nec emere te tam magno et tam caro pretio.' Hæc dixit ille bonus Willelmus de Nubrige circa annum Domini m^mo^ cccc^mo^ xxxiiij^o^.

[p. 539.] **Furtum.** O Deus, qui judicas æquitatem et consideras laborem et dolorem pauperum! da intellectum verum ecclesiis et religiosis, qui bona sufficiencia ex primeva fundacione locorum suorum habent, unde opera necessaria sustineant, et perficiant, sc. vivendo, orando, studendo, legendo, et scribendo explanaciones sanctarum scripturarum et rerum quas Deus sanctis viris et doctoribus revelavit, 'ut per consolacionem scripturarum spem habeamus in Xto Jesu Domino nostro.' O Deus! illumina oculos mentis et talium virorum qui petunt bona quibus non indigent, illis bonis abutendo, et illa effundentes circa actus non necessarios, non Deum immediate nec cultum ejus concernentes per scienciæ augmentum, et vitæ puræ incrementum. Tales appropriant sibi ecclesias parochiales, et bona et decimas illarum, rectoribus pertinentes, tanquam et illorum bonorum dispensatoribus jure naturæ et jure divino scripto et jure ecclesiæ ab ecclesia instituto et decreto, unde, per tales appropriaciones, ecclesiarum viri scientifici, et bonæ et excellentis vitæ, qui essent in talibus rectores animarum, a cura animarum injuste retrahuntur, propter exhilitatem bonorum, quæ appropriantes concedunt curato, et sic debita sacramentorum administracio, recta et devota oracio, prædicacio verbi Domini et veritatis necessariæ et utilis ostensio, bonum consilium parochianis, bonum exemplum vivendi, hospitalitas, et elemosinæ, et exhibicio juvenum parochianorum ad studium literarum et scienciarum, per talem

miseram appropriacionem destruuntur, et omittuntur, et sic pereunt innumerabilia bona, quæ fierent si rectoriæ in primeva sua ordinacione permanerent; et verisimile est per vicia regnancia per omissionem prædictorum bonorum, quæ pereunt per appropriacionem ecclesiarum, quod plures animæ et innumerabiles dampnantur æternaliter, quæ salvæ fuissent si habuissent bonos rectores et alia sancta opera prædicta, quæ, per talem miseram appropriacionem ecclesiarum, omittuntur et pereunt, et ita bona opera in tot personis et parochianis omissa per talem appropriacionem sunt in toto plura, de verisimili, quam bona facta vel fienda per viginti vel quadraginta viros vel religiosos, quibus istæ ecclesiæ appropriantur, et qui retrahunt bona ecclesiarum a suo recto usu, propter quæ Deus illa bona concessit curatis animarum; unde merito dicit et testatur, sanctæ memoriæ doctor dominus Lincolniensis, in Proposicione sua habita coram papa Innocentio, 'cum facta est talis ecclesiarum appropriacio, facta est in ecclesia Dei omnium malorum perpetuacio.' Sed forte aliqui dicunt, 'Melius est parochianis xx religiosos orare et missas Deo celebrare pro eis quam unum rectorem, sed sic fit per appropriacionem ecclesiarum, ergo melius est parochianis talem appropriacionem fieri quam non fieri;' sine dubio veritas in hac materia aperta est, quæ hanc objectionem tolleret. Comparacio non debet fieri inter missas omnium religiosorum unius monasterii et missam unius rectoris ecclesiæ unius, sed inter missas ipsorum et omnes missas ipsius rectoris et ipsorum quos exhibet, et inter omnia bona alia quæ per rectorem in seipso et aliis perveniunt, unde aliquando plures actus boni sustentantur et multiplicantur per unum rectorem in mille parochianis suis, et in aliis personis per talia bona non appropriata, qui actus non sic fiunt per religiosos et alios quibus ecclesiæ appropriantur, sed pauci tales actus inter ipsos fiunt in comparacione ad actus bonos qui per bonum rectorem in pluribus personis fiunt et fierent, si rector sit sicut esset, ubi forte per illa bona appropriata pauci tales actus fiunt, et hoc præcise ut communiter in personis

paucis; per talia enim bona bene dispensata per bonum et scientem rectorem plura mala destruuntur, et plura bona fiunt, in pluribus personis et communiter in quingentis personis, seu parochianis, et ultra, et forte non sunt quadraginta personæ in loco illo cui ecclesia appropriatur, et sæpe videtur quod tales pauci actus fiunt per ipsos quibus ecclesiæ sic appropriantur, et in paucis personis in comparacione ad omnes parochianos et alios in quibus actus fierent. Tales non prædicant parochianis, nec sacramenta illis ministrant, nec hospitalitatem eis exhibent, nec plura alia necessaria eis spiritualia et temporalia, unde bona et omnes decimæ ecclesiæ parochiali annexæ pocius darentur rectori parochianorum quam appropriarentur aliis, et hoc propter plures causas. Unum est, quia a Deo institutum fuit et per apostolos promulgatum, ut qui altari huic servit, de debitis et oblatis huic altari vivat, unde apostolus sanctissimus Paulus dixit, et præcepit, ut 'qui altari servit de altari vivat,' i.e. de pertinentibus ex jure divino ministris illius altaris; et considerandum est quod apostolus non dicit, Qui servit pro altari vivat de altari, sed dixit, 'Qui servit altari de altari vivat,' i. e. qui habet curam hominum habeat de illis qui illi offerent, quia melius est parochianis ut boni actus fiant eis, quam pro eis, sc. prædicacio, hospitalitas, oracio, pro eis et coram eis, ut magis coram Deo in amore ejus accendantur, et bonum exemplum et consilium, quæ omnia pereunt per miseram appropriacionem. Unde, quia a Deo institutum fuit, ideo decimæ darentur curato, qui habet curam animarum. Item, melius est ut alia bona fiant parochianis in semet ipsis, quam pro ipsis. Rectores enim boni pro parochianis orant, et coram eis præsencialiter ministrant, ut efficacius præsentes accendantur in Dei laude et amore. Item, parochianis suis prædicant, et veritates divinas et utiles declarant, et explanant, rectum consilium parochianis conferunt, unde quondam, quando fuerunt plures boni et maturi rectores ecclesiarum, ibi residentes, brigæ et dissensiones infra parochiam motæ, vel inter parochianos, sopitæ erant et finitæ per bonum tractatum et

consilium talium rectorum, unde tunc fuerunt paucæ implacitaciones, nec acciones per legistas et juristas, quia paucæ erant querelæ, quin statim exortæ finitæ erant et sopitæ infra parochiam, per bonum laborem et diligenciam præsidencium et rectorum. Sed jam, per defectum talium bonorum rectorum, lites, querelæ, dissensiones, acciones, implacitaciones multiplicantur et continuantur, et sic consequenter bona, per quæ sancta opera perficerentur, multiplicatis talibus querelis, legistis, et advocatis, et defensoribus conferuntur, unde, per multiplicacionem talium dissensionum et accionum, per defectum bonorum rectorum, in curis residencium, jam magis quam antiquitus multiplicantur legistæ, juristæ, et advocati, et defensores malorum, qui malos pro amore malo, vel pro timore malo, defendunt, et tamen pluries causæ tales, post longam placitacionem, et post magnas expensas, per tractatum magnorum finem suum habent, et terminantur, et hæc est alia iniquitas quæ appropriaciones consecuitur. Rectores enim boni pro parochianis orarent, sacramenta ministrarent, et consilium bonum præberent et exemplum, hospitalitatem tenerent, per bona et decimas a Deo eis collata, et prædicarent, et veritates necessarias et utiles subditis annunciarent, per quas operaciones et per actus prædictos habiles essent et dispositi ad bene vivendum et bene operandum, et per istos actus parochiani dispositi essent ad fructum capiendum illarum oracionum quas alii orant pro eis. Illi autem quibus ecclesiæ appropriantur forte orant pro parochianis, quorum bona recipiunt, sed actus activorum sunt in paciente disposito, ex 2° De Anima. Illi autem parochiani, pro quibus approprietarii orant, non recipiunt subsidium temporale ab eis, nec hospitalitatem, nec consilium, nec prædicacionem, nec plura alia bona necessaria ; quomodo ergo per bonas oraciones talium quibus ecclesiæ parochiales appropriantur, disponuntur parochiani ad gratiam gratum facientem, vel ad gloriam sempiternam habendam, cum non habeant illa quæ requiruntur et præsupponuntur ad talem graciam et gloriam? Sed per prædicaciones, consilia, exemplum bonum rectorum,

una cum devota oracione ad talem graciam et gloriam vocantur, et ad bene operandum excitantur, et per tales actus plura bona fiunt, et plura mala quæ verisimiliter fierent non fiunt; et per tales appropriaciones ecclesiarum rectores boni retrahuntur a cura animarum, per quorum carenciam et defectum plura mala fiunt, et plura bona omittuntur, quæ bona fierent per præsenciam boni pastoris, sicut plura bona sequebantur in præsencia boni pastoris sanctissimi apostoli Pauli, quando fuit apud Galathas, quorum contraria omnia sequebantur in ejus absencia, quando absens erat a Galathis, prædicando aliis regionibus, orientis et occidentis, ut testatur sanctus doctor Jeronimus, et dominus Lincoln in Commentariis suis super Epistolam Sancti Pauli apostoli ad Galathas. Bonus enim rector, verbo suo et exemplo et eciam factis suis, parochianos informaret quomodo se ad Deum haberent, et quomodo viverent, et quomodo orarent pro se et pro aliis, et ista fieri a parochianis pro seipsis orando et bene vivendo prodesset magis parochianis quam alios orare pro eis, quia tunc orarent eo modo quo tenentur orare, et illo modo viverent quo tenentur vivere, et sic multum fructum boni operis in se et in aliis parochiani afferunt. Ubi jam, per miseram appropriacionem, remanent sicut steriles arbores, quia, per appropriacionem ecclesiarum, auferuntur ab eisdem parochianis maturi et scientes rectores, qui vigilarent super gregem suum, et sic animæ pereunt plurimorum per defectum talem et carenciam curatorum bonorum. O Deus! illumina oculos hominum, ut videant, quomodo causa causæ est causa omnium quæ sequuntur ex illa causa, et specialiter cum ad non sic faciendum homo tenetur et obligatur, unde sicut radix mala est plurimorum malorum. Sic actus talis malus plures actus malos causat, et ideo, 'Væ illi! per quem scandalum venit,' i.e. væ illi peccatori! per cujus actum malum vel verbum occasio peccati venit scandalum, i.e. occasio peccati per illum venit, qui malum illud facit; quod movet alios ad male loquendum vel ad male faciendum, ut testatur Sanctus Jeronimus super Mattheum, unde 'væ illi! per quem

scandalum venit,' i.e. væ illi! per cujus verbum malum vel factum malum præbet alteri occasionem ruinæ in peccatum, et in malum culpæ et pœnæ. Unde beatus doctor Jeronimus super Mattheum, libro ij° suorum Commentariorum, isto modo testatur, dicens, 'Ille scandalizat hominem, qui dicto malo vel facto occasionem ruinæ cuicunque dat, qui enim bonum fecerit vel recte dixerit, si aliquis hoc videns ex perverso intellectu seu affectu malo, malum ex occasione illius boni actus fecerit, tunc ipsum non scandalizat active, sed alius hoc bonum capiens scandalizatur passive,' ut testatur Sanctus Bernardus in Epistola sua ad abbatem Sancti Dionisii in Francia; sicut Pharisæi scandalizati sunt, i. e. moti sunt ad malum, audito verbo Xti, et Xtus dixit discipulis suis, 'Sinite eos,' sc. scandalizari ex bono actu mei, vel aliorum, quia pocius permitti debet scandalum oriri, quam permittere ut veritas relinquatur, ut testatur Sanctus Gregorius papa super Ezechielem. Unde sic argui potest contra approprietarios ecclesiarum, facere non debitum et omittere actum bonum debitum, est mortale peccatum, ut patet in Evangelio Matthei de servo nequam qui non dedit pecuniam ad mensam, et Matthei 25°, quia non fecerunt bonum ideo dampnati sunt, sed per talem appropriacionem ecclesiarum plura bona, debita fieri in rectore et in parochianis, omittuntur, et plures animæ ex tali omissione dampnantur, ergo appropriacio talis est vitanda, ut dampnabilis, ex qua talia secuntur. Item, ex talibus omissis bonis pluries contingit multo plures in parochiis dampnari quam sunt in monasteriis nutriti per tales appropriaciones. Talibus appropriacionibus sæpe bona spiritualia in illis non augmentantur, sed pocius ornamenta superflua, vel non necessaria, vel fercula gulosa, et insolenciæ viciosæ, et destructis appropriacionibus causa talium malorum in pluribus locis esset destructa. Item, tales quibus fit appropriacio ecclesiarum orant pro illis quorum decimæ et oblaciones approprientur, sed qualis utilitas, cum ipsi viginti vel triginta religiosi vel cathedrales orant, et ducenti vel trescenti parochiani ipsorum valde male

orant, et vivunt, eo quod non habent exemplum, doctrinam, et subsidium boni rectoris, propter quæ tria decimæ et bona ecclesiæ a Deo collata fuerunt habenti curam et ministerium salutis animarum! O quanta bona et virtuosæ operaciones in rectore et in subditis retrahuntur, per subtraccionem bonorum illorum, quæ alteri loco appropriantur, debita, scilicet, sacramentorum administracio, verbi Dei et voluntatis Dei agnicio, boni exemplificacio, agendorum consiliacio, malorum reformacio, bonorum multiplicacio, indigencium per hospitalitatem refeccio, pauperum scolarium ad studium exhibicio! Novi enim unum rectorem, qui, ex bonis unius ecclesiæ, quam unicam habuit, exhibuit ad scolam et ad studium viginti juvenes, et fecit ipsos sacerdotes. O quanta bona essent in illis hominibus fienda et per illos, quibus ista bona ecclesiarum parochialium appropriantur, eo quod tam plures actus boni de quibus prædicitur per talem appropriacionem ecclesiarum destruuntur in aliis locis! O viri religiosi et collegiati, in cathedralibus ecclesiis! quanta bona et sancta opera faceretis, quia per vos tot bona opera prædicta in pluribus parochiis destruuntur, per bona vobis appropriata, et ab illis locis alienata, quæ fuissent illis in subsidium plurium bonorum operum, si bonum rectorem habuissent ad regendum. Bona enim temporalia ecclesiæ donata sunt a Deo in auxilium et in multiplicacionem bonorum spiritualium. Videas ergo quod per talem appropriacionem ecclesiæ bona debita parochianis non retrahantur, ut bona pociora ibi fiant, ubi appropriantur. Tales enim habentes bona appropriata ecclesiarum parochialium sæpe abutuntur bonis illis, quæ deservirent operibus sanctis fiendis, in scribendo, in orando, in legendo, in prædicando, et devotos et indigentes exhibendo, et illa bona, quæ acceperunt ad sanctum opus fiendum, transtulerunt ad injuriam donatoris male, sc. illis utendo, et sanctos usus et pia opera omittendo. Tali dicit Dominus, Osee ij°, 'Nesciunt quod ego dedi ei frumentum, vinum, et oleum, et argentum multiplicavi ei, et aurum, quæ fecerunt Baal multiplicando,' sc. vana, et pomposa, et delicias sui

corporis. A talibus auferet Dominus bona quibus abutuntur, et penuriam rerum eis dabit, ut testatur per Osee prophetam: væ talibus! qui animas perdunt per retraccionem bonorum pastorum qui vigilarent attendentes gregi suo, quantum in via Domini proficiunt vel non proficiunt. Sed per abrupta viciorum pereunt, et a talibus pastoribus bona retrahunt, unde viverent, et unde bona spiritualia multiplicarent. Tales approprictarii ecclesiarum, et eciam rectores talium bonorum abusorum illa quæ susceperunt, ut in Dei cultum verterent, vertunt in ydola, i. e. in malum cultum, et in augmentum et nutrimentum suæ voluptatis et caduci honoris. 'Tales,' inquit Sanctus Jeronimus super Osee prophetam, 'per bona temporalia quærunt suas delicias enutriri, et talibus, Dei providencia, accidunt mala, ne habeant ea quæ cupiunt, et variis hujus sæculi miseriis ad Dei servitutem redire coguntur.' Experiencia enim docet quæ mala et quot mala secuntur ex appropriacione ecclesiarum, sed quia homines jam non senciunt bona quæ pervevirent, et quondam pervenerunt per præsenciam boni pastoris, ideo jam non curant utrum approprientur an non, quia videtur eis quod malum intollerabile sequitur ex rectoris absencia, sicut ex appropriacione pessima, præterquam quod unum malum durat ad tempus et aliud malum est perpetuum et in majus et majus malum emergens. Sed, forte dicis, quod approprietarii orant pro parochianis ecclesiarum approprietarum, et hoc, ut dicit, magis prodest iis quam unius rectoris oracio, sed racionem, quæso, pensa. Melius enim est michi, ut bona michi facias, quam pro me; sicut melius est michi, ut michi esurienti cibum tribuas, quam alteri pro me, vel amore mei. Sacerdos et curatus faceret bona plura parochianis et coram parochianis, ut ad bonum ejus verbo et exemplo moveantur, et non solum faceret bona pro eis. Item, plura bona opera spiritualia et corporalia facit rector bonus et tenetur facere parochianis, et pro parochianis, quorum nullum eis facit communitas quibus ecclesia est appropriata, nec tenetur facere, ut dicunt, nec enim prædicant, nec eos informant, nec elemosinam et

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hospitalitatem eis tribuunt, nec auxilium in agendis necessarium. Dominus enim Deus dedit tantum victum decem sacerdotibus quantum dedit xx^ti Levitis, et tantum victum uni sacerdoti quantum duobus Levitis, et causa fuit propter necessitatem sui officii, quia pluribus indigebat, et eciam quia sacerdos melius sciret quomodo et qualiter illa bona dispensaret et expenderet, ad Dei laudem augmentandam, et ad animarum salutem acquirendam, ut testatur Sanctus Jeronimus in Commentariis suis super Ezechielem prophetam, li^o xiiij^o, De divisione terræ promissionis; sed qui onus et curam animarum habent, et non faciunt quod tenentur facere, latrones sunt. 'Omnes,' inquit Xtus in Evangelio, 'qui ante me venerunt fures sunt et latrones;' non inquit, qui missi sunt ante me, sed qui sua sponte venerunt, non missi a Deo, fuerunt fures et latrones; non quia oves et boves vi rapuerunt, sed quod ut fures venerunt, sc. ad mactandum et perdendum, et hoc bonum debitum non conferendo, vel retrahendo, ex quo defectu alii spiritualiter moriuntur et ab inimico spiritu devorantur, qui enim defraudat pauperem panem vir sanguinis est, i. e. homicidii reus, sic, a fortiori, latro est qui inficit malo verbo seu malo exemplo hominem, qui nititur et conatur retrahere ab eo bonum majus quam est bonum diviciarum mundi, quæ bona indifferencia ab antiquis philosophis nominantur. Item, qui retrahit a Deo animas per defectum boni debiti eis fiendi, latrones sunt coram Deo. O quot fundatores ecclesiarum, monasteriorum, et collegiorum jam coram Deo dicunt fundatis, 'Fures estis, quia opera bona et debita non fecistis, nec intencionem fundacionis nostræ fecistis, et sic fraudem intencioni nostræ et nobis fecistis, quia hæc opera debita non fecistis, ideo, "Ite a me, maledicti," dicit Dominus, Mat. 25°. Per non residentes in curis suis et per appropriacionem ecclesiarum ecclesiæ pereunt, et curæ, et valor ecclesiæ, ut jam patet in hoc tempore quando diversæ ecclesiæ ante appropriacionem, cum residentem rectorem habuerunt, valebant centum libras, et, mox per appropriacionem et post non residenciam, vix dimidia summa prioris

summæ levari potuerit vel colligi!' Item, sequitur ex tali appropriacione unius ecclesia causa et occasio appropriandi aliam ecclesiam eidem loco, quia statim ut una ecclesia eis appropriata incipit de summa antiqua et annuali minui, mox laborant pro alia ecclesia approprianda, prætendentes paupertatem, et sic 'abissus abissum invocat,' et appropriacio unius ecclesiæ provocat sic ad aliam ecclesiam appropriandam. Erit multiplicacio plurium servorum et ociosorum et pomparum et ferculorum et donorum magnis et divitibus in mundo. Provocant religiosos et ecclesiasticos terras terris et ecclesiam ecclesiæ conjungere, et in detrimentum plurium actuum bonorum sibi ipsis colligere, et, teste Sancto Jeronimo, libro xiiij°, super Ezechielem prophetam, ita dantur terræ alienis, quia homines non habent dare propriis filiis et domesticis, qui patriam defenderent et hospitalitate et bono consilio nutrirent. Fur et latro est qui aliena injuste rapit et accipit. Item, fur est Deo qui actus debitos fieri retrahit, impedit, seu non facit; Xtus enim in Evangelio dicit, 'Fur non venit, nisi ut mactet et perdat,' sc. quod est suæ voluntati contrarium. Sic episcopus, rector, et officiarius, in populo fur est et homicida quando impedit, vel retrahit, seu non facit opera debita et necessaria, et quæ tenetur facere, quia ex defectu tali animæ pereunt et deficiunt a virtutibus a Deo; quod patet ex verbis Domini, Ezechielis iij°, 'Si non annunciaveris, sc. debita annunciari, homini, sanguinem ejus de manu tua requiram,' i. e. ejus morte spirituali ex tuo defectu te æternaliter puniam.

[p. 550.] **Hæresis.** Jeronimus de Praga, magister arcium, laycus, relapsus fuit in hæreses Johannis Wyclyf de Anglia et Johannis Huss de Praga, quas, anno Domini m° cccc° xv°, xxiij° die mensis Septembris, in sacri concilii Constanciensis cessione publica abjuraverat, et ideo merito tunc ignis voragini deputatus fuit per illud generale concilium; et tunc dampnati fuerunt in eodem concilio Constanciensi; tamen Johannes Magister Wyclyf et Magister Johannes Huss, et eorum libri dampnati, ut videtur in libro De Gestis Constanciensis et in libro De Gestis Concilii Basiliensis; et anno Xti m° ccc° octogesimo, vivente

tunc ipso hæretico Johanne Wyclyf, quadraginta quinque articuli ipsius Londoniis in Anglia a xiij episcopis et archiepiscopo Cantuariensi et a triginta doctoribus in Theologia, et articuli 45 tunc dampnati sunt ibi, in libro De Gestis et Actis in Concilio Basiliensi, et Archiepiscopus Cantuariensis, Thomas Arundel, in litera sua, quæ incipit, 'Universis Fidei Catholicæ zelatoribus. Thomas, permissione divina,' etc. sic scribit, 'Vestræ Universitati innotescimus, quod nos, de concilio et consensu suffraganeorum nostrorum et cleri totius nostræ Cantuariensis provinciæ, ipsum Johannem Wyclif velut erroneum, et suas opiniones in Theologia ut hæreticas, ac in logica et philosophia ut erroneas, exactissimis examinacione et discussione præhabitis, condempnamus, prout merito fuerunt condempnandæ, quod ad vestram noticiam deducimus, et deduci volumus per præsentes sigillo nostro consignatas; datum apud Girnkner, octavo die mensis May, anno Domini m° cccc° xi°, et nostræ translacionis anno xv°.' Copiam illius literæ archiepiscopi Latine et scripsi ego Thomas Gascoygne, seu Gascoyn, Eboracensis dyocesis, qui fui Cancellarius Oxoniæ anno Xti cccc° xxxiiij°, et copiam illam scripsi de libro De Gestis Concilii generalis Basiliensis, qui erat Oxoniæ in Collegio Dunelmæ, et eciam in illo libro sunt 45 conclusiones hæretici Wyclyf dampnatæ Londoniis in concilio episcoporum, ipso Wyclyf tum veniente in tempore illius concilii, quod fuit Londoniis celebratum anno Domini m° ccc° octogesimo. Et ipse Johannis Wyclif secularis doctor in Theologia et Anglicus, non fidei catholicæ, obiit in villa de Luttirworth in Anglia, Lynconiensis dyocesis, anno Domini m° ccc° 84, in die Sancti Silvestri. Ipse Wyclyf, in quarto libro Trialogi sui, ter dampnati, capitulo 36°, prædictum concilium contra cum celebratum anno Xti 1380 Londoniis, concilium terræ motus [appellat], et Universitas Oxoniæ, anno Xti 1410, dampnavit ducentas et ultra conclusiones, et libros ejus combussit in Quadrivio, præsente Cancellario abbate[1] Salopiæ.

[1] Thomas de Prestbury, abbot 1399–1426; Chancellor of Oxford, 1393, 1409, 1410.

[p. 551.] **Hæreticus.** Omnes enim hæreticorum et gentilium quæstiones eædem sunt, quia non scripturarum auctoritatem sed humanæ rationis sensum sequuntur. Hæc Sanctus Jeronimus, super Osee prophetam, libro 2°, ca°. 7°. Item, hæretici vagi errant, nunc ad has, nunc ad illas, i. e. contrarias sentencias, transeuntes, dum non eis placet quod semel reperiunt, sed semper vetera mutant novis, et ethnicorum imitantur errores. Hæc Sanctus Jeronimus super ca°. 9° Osee prophetæ. Item, hæretici verba scripturæ sacræ de propriis sumentes locis, conantur assuere, i. e. applicare sensibus illis quibus non convenit illa verba cooptari, i. e. applicari, et sentenciam in suo loco alteri sensui congruentem alteri nituntur assuere, i. e. applicare. Cum Domini Jesu tunica desuper contexta per totum scindi omnino non possit, sed texta Spiritu Sancto nullam recipiat scissionem.

Item, hæretici diligunt libidinem, difficile enim est hæreticum reperiri qui diligat castitatem, non quod eam præferre desistat labiis.

Item, omnes hæretici labore nimio ac dolore quærendi ordinem aliquem et consequenciam hæresis sua reperire conati sunt.

Item, hæretici quæ male ab aliis inventa sunt roborare conantur.

Item, hæretici sunt acuti sensus et ardentis ingenii. Nullus enim potest hæresim struere nisi qui ardentis ingenii est, et habet bona naturæ, quæ a Deo artifice creata sunt.

Hæretici assimulantur locustæ, quæ volare non potest in altum, quamvis de terra exilire nititur, et deficientibus pennis et frigore contractis, concidet in sepe, in sentibus, et virgultis, vel in maceria fortuitu hinc inde lapide composita. Sic hæretici in altum non volant, quia sensum divinum non capiunt, sed humanum et erronium, et non habent calorem solis justiciæ, frigescente in eis Domini caritate, sedent in spinosis sedibus, quia cum friget per defectum virtutis, et volare non possunt; sc. in clarum intellectum veritatis, sedem suam et regionem inter Aristotolis et Crisippi spineta reperiunt, quia eorum dicta pro vero fundamento assumunt. Inde Eunomius profert, 'quod natum

est, antequam nasceretur, non fuit.' Inde Manicheus, ut Deum a condicione malorum liberet, alterum mali inducit auctorem. Inde Novatus subtrahit veniam ut tollat pœnitenciam, et de illis fontibus universa dogmata tanquam argumentacionum suarum rivulos trahunt, i. e. a dictis illorum philosophorum tanquam a suis principiis affirmant, et deducunt suas conclusiones. Hæc Jeronimus.

[p. 576.] **Indulgenciæ.** Homines moderni dicunt, 'Non est nobis cura de aliquo peccato, sed, si libet, facimus acsi liceret; peccavimus et nichil nobis accidit; et si peccaverimus, non timebimus, quia prope est regnum Dei, et ad hostium nostrum est Roma; quia facillime et citissime habebimus veniam culpæ, et omnis pœnæ, si demus pecuniam ab habendam indulgenciam papalem:' et sic omittunt actus veræ pœnitenciæ, et actus debitæ justiciæ, quos tenentur facere, quamvis Sanctus Petrus dixit Actuum iij° capitulo, 'Pœnitemini igitur et convertimini, sc. ad opera debita justiciæ, ut deleantur vestra peccata.' . . . . Plures enim sunt absoluti vocaliter a sacerdote in terris, et in foro soli, qui non sunt absoluti a Deo in foro poli, et plura putantur esse justa in foro soli, qui sunt injusta in foro poli, ut testatur Sanctus Augustinus. . . . . Jam enim episcopatus pereunt et cura animarum, quia habentes magna officia et eciam abbates et religiosi manent in curiis temporalibus, in officiis temporalibus, et in coquinis dominorum mundanorum, et in officiis eorundem. Tenentur enim tales, sub pœna æternæ dampnacionis, resignare officia ecclesiæ et curam animarum quia nec possunt nec sciunt Deo reddere debitam racionem villicacionis suæ, i.e. sui officii et suæ curæ. . . . Ille enim rex, seu dominus, seu alius quiscunque, qui facit, vel fieri laborat, seu adjuvat aliquem eligi seu ordinari in episcopum, rectorem, judicem, abbatem, seu officiarium in populo, sine debita intencione et pura, et sine debita noticia, quod illa persona, pro qua instat, habet scienciam, potenciam, et voluntatem ad faciendum ea quæ in illo officio fierent, Deo jubente, reus est coram Deo omnium malorum, quæ perveniunt per defectum illius, quem promovet ad regimen

populi, seu ad officium in populo, et reus est eciam et debitor coram Deo omnium bonorum actuum, qui ex debito in illo officio facta fuissent, si sufficientem personam cum debita intencione in illo officio ordinasset seu ordinari laborasset . . . . Nuper enim unus episcopellus dixit in confessione uni magno peccatori, cui videbatur quod horribilissime peccavit, 'Da michi,' inquit, 'xl solidos, et animam meam pono pro animo tuo coram Deo.' Merito ei dicetur a Deo, 'Sanguinem ejus de manu tua requiram.' . . . . O Domine Deus! concede ut vicarius tuus papa Romanus dicat illis peccatoribus, qui credunt nulla vel pauca requiri vel exigi ad indulgenciam habendam, nisi daciones, vel oblaciones pecuniæ, vel munerum; pecunia vestra vobiscum sit in perdicionem, i. e. cum obligatione qua jam obligati estis coram Deo ad pœnam æternam quia existimastis donum Dei, magnum et perfectum, per pecuniam haberi et conferri.

[p. 581.] Heu! quia jam quærunt homines habere et recipere indulgencias a Deo per media et opera vilia et facilia, quæ homo præcipit et concedit, pocius quam per illa opera quæ Deus præcipit, et quæ racio et scriptura bona esse ostendit, sc. per biberium, seu potum haustum ab uno cipho, de quo homines sic bibunt, quod inebriantur, putantes se per illum haustum veniam plenam habere a Deo plurium malorum et magnorum. Dicunt enim homines moderni, quod papa et episcopi indulgencias concesserunt visitantibus certum locum, et bibentibus ad summum de tali cipho, et offerenti pecuniam tali loco, et putant alia quæ sunt necessaria saluti animæ non esse necessaria, nec debita fieri ab eisdem; 'Si enim sacrificium, i. e. oblacionem, voluisses, O Deus! tibi dedissem, etc.' Omnis enim, vel quasi omnis, zelant et optant habere veniam et delecionem omnis culpæ et pœnæ, sed quis optat habere media per quæ coram Deo ad veniam pervenitur, sc. bonam et sufficientem voluntatem hominis ad Deum.

Cave, ne forte surripiat tibi impia cogitacio, et dicas in corde tuo, 'Appropinquat annus remissionis,' Deuteronomii 15 ca°. Sic tu, O homo!

cave, ne jam dicas in corde tuo, 'Non curo quod ago, quod michi libet faciam, quia facillime et citissime habebo veniam omnium malorum, quia appropinquat tempus indulgenciæ concessæ a papa, talem et talem locum visitantibus.' Papæ enim solebant scribere, 'Si aliquis sub spe veniæ habendæ per indulgencias a nobis concessas peccaverit, quoad ipsum, concessio nostra irrita sit et inanis.' Hæc cogitatio enim et audacia peccandi sub spe veniæ est cogitacio impia.

[p. 594.] Anno Xti Jesu m^{mo} cccc^{mo} quinquagesimo primo, legatus in Ungariæ regnum, per papam Nicholaum quintum, fuit dominus Nicholaus de Cusa, cardinalis tituli Sancti Petri in Vinculis, ut ibi legatus, auctoritate papæ ipsius, daret indulgenciam quæ habetur Roma in anno Jubeleo, cuilibet personæ in regno Ungariæ, qui daret medietatem pecuniæ quam expenderet eundo in Romam, et illa pecunia collecta per illum cardinalem, dominus Johannes Hungat, comes Wystersiensis, gubernator regis et regni Hungariæ, cum baronibus illius regni fecerunt quod omnes illæ pecuniæ collectæ per illum cardinalem ut portaret Romæ manerent in Ungaria, ad defendendum et ad conducendum Xtianos contra Turcos, in quorum finibus et metis ipsi Turci manent. Quo audito, papa Nicholaus quintus excommunicavit prædictum dominum comem de Hungat in Hungaria, et barones et homines illius regni, qui huic facto consencierunt, et ipse comes et ipsi barones hoc cognito dixerunt: 'Nos appellamus a Papa Nicholao ad Xtum Jesum pro cujus fide defendenda servamus ista pecunia contra imperatorem Turcorum, qui conatur destruere Xtianismum sub cœlo, et sic Ungari eum vicerunt anno Xti 1456, in festo Sanctæ Mariæ Magdalene; et anno Domini 1451 ordinaverunt regni Ungariæ barones, quod nullus Ungarius exiret terram suam ad Romam, sub magna pœna.' Quo audito, Nicholaus quintus tunc papa existens, absolvit illos Ungarios de illa entencia excommunicacionis lata per ipsum papam; et magna bona fecerunt Ungari cum illis pecuniis contra Turcos paganos, quorum centum milia et quinquaginta milia Ungari occiderunt anno Xti 1456;

et circa illud tempus domini de Prucia, cruciferarii in albis vestibus, cum nigris crucibus, expulsi et occisi fuerunt per homines Pruciæ, quia illi cruciferarii mali et ribaldi in Prucia habebantur, et eorum castra, centum vel ultra, una die in Prucia destructa fuerunt, i.e. homines illorum castrorum. Prædictus imperator Turcorum vocabat seipsum Waldewach, et sic scripsit, 'Waldewach gracia Machometi, imperator Turcorum, et Tartarorum, et Græcorum,' et fuit filius bastardus imperatoris Turcorum, qui captus et redemptus per Ungaros in tempore Sigismundi imperatoris Romani, vocabatur Cassinus seu Cassianus.

[p. 596.] Væ! væ! cupiditati ecclesiæ, quia jam ex mandato eorum, qui regerent in ecclesia cathedrali Eborum, circa annum Domini 1440, quilibet curatus in diocesi habet in mandatis, ut præcipiat et quod injungat cuilibet confitenti, antequam absolvatur, ut solvat quolibet anno, sicut ille curatus ei præcipit, fabricæ ecclesiæ cathedralis, et tali modo potest imperare ut quilibet det eis omnia quæ habet.

Unus doctor in concilio Basiliensi fecit et scripsit ibi magnum actum de indulgenciis papalibus, et dicit in illo actu, quod non reperit nec invenit indulgencias concessas et sigillatas modo illo, qui (*sic*) utitur hiis diebus, infra mille annos Xti esse concessas, nec ab aliquo sancto expressas modo jam usitato. Actus illius doctoris de indulgenciis est Oxoniæ, in Collegio Dunelmæ, in magno libro papiri De gestis et actis concilii Pisani, et concilii Constanciensis, et concilii Basiliensis; quod concilium Basiliense per sentenciam Papæ Eugenii iiij[ti], usque ad Ferrariam, et a Ferraria ad Florenciam: sed concilium Basiliense non obedivit sentenciæ latæ per Eugenium, sed per sentenciam concilii Basiliensis prædictus Eugenius fuit depositus, et pro deposito in illo concilio pronunciatus, et dux Sabaudiæ in papam electus fuit in concilio illo Basiliensi, et Felix vocatus fuit, qui post mortem Eugenii iiij[ti], in tempore Nicholai quinti, papatum suum resignavit, et tunc solus Nicholaus successor Eugenii iiij[ti] pro papa acceptus est. Dominus enim Deus beatæ Brigittæ viduæ de regno Sueciæ in revelacionibus

quod sancti pontifices meritis suis et precibus meruerunt indulgencias a Deo conferri certis personis (*sic*).

[p. 597.] **Indulgenciæ divinæ per Deum concessæ.** Regula ordinis, sc. religionis Sancti Salvatoris noster Jesu Xti, dictatam per Xtum, quæ fuit revelata beatæ Brigittæ, viduæ ac principissæ Nericiæ in regno Sueciæ. Præcepit Xtus per beatam Brigittam, eandem sponsam Xti, quod prior Petrus Olavi, suus confessor, ordinis Cisterciensis scriberet, et in illa regula ostensa beatæ Brigittæ in Castro Wasten, Lincopensis diocesis, in regno Sueciæ, capitulo quinquagesimo iiij^to^ ipsius regulæ a Xto revelatæ illi Sanctæ Brigittæ, quod Jesus Xtus concessit illi religionis Sancti Salvatoris nostri Jesu illas indulgencias, quæ sunt in ecclesia Romæ Sancti Petri ad Vincula. Hæc patent in magno libro, De Sancta Brigitta vidua, qui est in monasterio Syon in Anglia, columna illius libri 662^a^, qui liber continet revelaciones divinas, in novem libris, ostensas beatæ Brigittæ, et alia opera, et librum attestacionum, sc. probacionum, quæ Romæ fiebant per multas personas fide dignas, de ejusdem sancta vita et miraculis plurimis, coram papis Gregorio xj°, Urbano vi°, et Bonifacio ix°, qui eam canonizavit, præhibita probacione debita coram eisdem tribus papis, per imperatorem Karolum iiij^tum^, et per reges et reginas, et per plures dominos et dominas, et per juramenta duorum confessorum beatæ Brigittæ, Magistri Petri Olavi, et prioris Petri Olavi ordinis Cisterciencis, qui, sub juramento præstito, vitam ejusdem beatæ Brigittæ scripserunt, et probaciones factæ sanctæ vitæ ejus et miraculorum duraverunt a morte sua, decem et octo annis, antequam fuit canonizata per papam Bonifacium ix^um^, anno secundo sui papatus, et nomina eorum, qui probabant illam Sanctam Brigittam digne et ex meritis suis esse canonizandam, patent in libro attestacionum, i. e. probacionum, quæ fiebant coram papis Romanis Gregorio xj°, Urbano sexto, et Bonifacio ix°, pro canonizacione tunc fienda Sanctæ Brigittæ viduæ ac quondam principissæ Nericiæ in regno Sueciæ.

[p. 599.] Heu! quia circa annum Domini 1449, unus archiepiscopus per suos officiarios mandavit per suam diocesim in Anglia, quod nullus absolveret aliquem a peccatis confessis, nisi prius sacerdos ei injungeret solvere pecunias ecclesiæ illius episcopi vel illi episcopo, ita quod de illa pecunia redderet quilibet curatus suæ diocesis compotum in sinodo semel quolibet anno post Pascha.

[p. 600.] Consimiliter jam non curant homines peccare, quia credunt se non posse nec fore dampnandos propter indulgenciam a Roma concessam, quæ jam sic conceditur, ut non puplicetur in Anglia quousque annus quinquagesimus, qui a populo vocatur jubileus, sit transactus, ne forte per illas indulgencias in Anglia concessas pauciores sint offerentes et pecuniam effundentes Romæ.

[p. 603.] Consimiliter jam moderni peccatores dicunt, 'Non curo quæ et quot mala fecero coram Deo, quia facillime et citissime habeo remissionem plenariam cujuscunque culpæ et pœnæ per absolucionem et indulgenciam concessam michi a papa, cujus scripturam et concessionem emi pro 4 denariis, vel pro sex denariis, vel per lusum ad pilam;' isti enim qui concedunt literas indulgenciarum discurrunt per regiones et dant aliquando literam pro duobus denariis, aliquando pro bono haustu vini vel serevisiæ, aliquando pro lusu ad pilam si vincantur, aliquando pro actu meretricio, aliquando pro amore carnali. Petrus enim de Monte qui, circa annum Domini 1440, collegit pecunias plurimas pro indulgenciis concessis a papa Eugenio, in recessu suo ab Anglia, quando intravit navem in mari, dixit doctori Vincencio Clement: 'Per Deum!' inquit, 'papa Eugenius nunquam habebit unum denarium de illis saccis impletis pecunia, nisi prius miserit michi literas suas quod promisit michi archiepiscopatum Mediolanensem[1].'

[p. 605.] Xtus concessit indulgencias beatæ Brigittæ, quondam viduæ de regno Sweciæ, tales quales sunt in ecclesia Sancti Petri ad Vincula in Roma, in signum quod Xtus voluit papam Urbanum quin-

[1] He was made Bishop of Brescia.

tum hoc populo manifestare, et Deum hæc concessisse revelavit eidem papæ Urbano. Vero cogitaciones suas proprias et secretas per beatam Brigittam, perpetuam sponsam Xti, et quæ et qualia cogitavit idem papa, in introitu beatæ Brigittæ ad eum, et qualem devocionem insolitam idem papa tum habuit in mente sua, et regulam ordinis et religionis Salvatoris nostri Jesu Xti dictatam ab ipso Xto, et revelatam beatæ Brigittæ de regno Sweciæ, in die Sancti Oswaldi regis et martiris, et præcepit Xtus beatæ Brigittæ quod prior Petrus Olavi, ordinis Cicistrensis, qui fuit unus confessorum beatæ Brigittæ, scriberet. Et in illa regula revelata Sanctæ Brigittæ in Castro Wasten, in regno Sweciæ, Lincopensis diocesis, capitulo quinquagesimo quarto, scribitur, 'quod Jesus Xtus Salvator noster concessit illi religioni Sancti Salvatoris illas indulgencias, quæ sunt Romæ in ecclesia Sancti Petri ad Vincula;' hæc patent in magno libro De beata Brigitta, vidua quondam, ac principissa Nericiæ in regno Sweciæ, qui liber est in monasterio Syon in Anglia ordinis Sancti Salvatoris, et hæc patent in illo libro, columpna sexcentesima sexagesima secunda. Mille enim et ducentæ et duæ columpnæ sunt in illo magno libro de Sancta Brigitta in monasterio Syon, Londonensis diocesis in Anglia. O beata Brigitta! decus Osgosiæ! i. e. orientalis Gothæ, in regno Sweciæ, ora pro nobis ad Deum, qui te elegit, ut digni efficiamur gracia Xti; et hæc patent in regula revelata per Xtum beatæ Brigittæ viduæ capitulo quinquagesimo 4°. Regula confirmata est illa, quam Urbanus quintus confirmavit; loquebatur enim eadem Sancta Brigitta cum papa Clementi vj° in Roma, et cum Urbano 5°, et cum Gregorio xj°, in cujus tempore Romæ obiit, et ossa ejus, ibi sepulta eodem anno naturali, in regnum Sweciæ portata fuerunt ad monasterium beatissimæ Mariæ semper Virginis in Wasten.

[p. 606.] **Indulgenciæ abusus.** Anno Domini 1440, fecit Eugenius papa quartus indulgencias magnas per omnia regna Xtianitatis, et collector papæ in Anglia pro tunc, qui tum pecunias recepit pro lit-

teris concessis indulgenciarum, fuit magister Petrus de Monte, artium magister et legum doctor, superbus Lumbardus valde, qui recedens ab Anglia cum innumerabili thesauro, collecto pro litteris concessis indulgenciarum papalium, juravit per corpus Xti, in præsencia Magistri Vincentii Clement, doctoris theologiæ, 'quod papa Eugenius nunquam haberet illas pecunias collectas, nisi papa prius mitteret sibi bullas ipsum Petrum fore archiepiscopum Mediolanensem;' et istas indulgencias concessit Eugenius dantibus certam porcionem bonorum suorum, et causa motiva concessionis papæ fuit pro expensis papæ, quas fecit circa Græcos unitos fidei catholicæ et Romanæ ecclesiæ in concilio Ferrariensi, translato de Basilia ad Ferrariam; et tum in Anglia aliqui emebant literas indulgenciarum et potestatis absolvendi in omnibus casibus pro duobus denariis, et aliqui pro oblatu cerevisiæ, et aliqui pro actu fetido peccati, et aliqui habuerunt calathos plenos de litteris indulgenciarum ad vendendum eas per patriam illas emere volentibus, et nomina eorum post empcionem inscribi fecerunt in litteris concessis, et aliqui dixerunt, 'Jam Roma venit ad hostium nostrum,' et non curabant aliqui mala facere, putantes se facillime veniam et graciam consequi per concessionem papæ; et rex Aragoniæ, Alfonsus, tunc dixit papæ Eugenio: 'Ecclesia Romana jam est vere meretrix, quia exponit se cuicunque petenti pro pecuniis.'

[p. 610.] Audivi nuper, anno Xti 1453°, quod unus prædicator verbi, cupidus pecuniæ, dixit in sermone puplico: 'Sciatis omnes hic præsentes, quod si aliquis vestrum det michi vel alicui de domo mea unum denarium, solutus est ab omni pœnitencia injuncta ei a suo curato vel ab alio sacerdote;' et revera indulgencia concessa a papa non solvit hominem ab operibus debitis justiciæ sed pocius a pœnis impositis a canone, i. e. a lege canonica, et a pœnitencia arbitraria imposita confitenti a sacerdote.

[Ib.] Anno Xti 1445, concessæ indulgenciæ a Papa Nicholao quinto anni jubilei omnibus contritis et confessis qui quartam partem

bonorum suorum mobilium dederint militibus de insula de Rodys ad faciendum ibi unum murum defensivum contra Turcos, sicut Francigenæ ibi fecerunt, et eciam concessit remissionem et indulgencias anni jubilei vocaliter, et ore suo protulit contritis et confessis in illo anno qui tot pecunias darent militibus insulæ Rodi quot pecunias expenderent eundo et redeundo ad Romam et a Roma, et judicio plurium virorum magnæ abusiones sequebantur ex istis indulgenciis, nám aliqui dixerunt, 'Pro uno grosso habeo indulgencias tales, et jam non curo quod ago, quia Roma est ad hostium meum, et per facillima media et opera habebo indulgencias cujuslibet culpæ et pœnæ.'

[Ib.] Scio homines seu personas habuisse litteras sigillatas indulgenciæ Eugenii papæ per Petrum de Monte, propter falsam voluptatem carnis usitatam, et propter ludum ad pilam, quia si conferens indulgenciarum litteras perderet ludum ad pilam, tunc in loco pecuniæ quam sic ludendo perdidit, dedit socio suo, cum quo lusit, litteras sigillatas indulgenciarum concessarum a papa Eugenio; et novi quod circueundo per patriam vendebant litteras sigillatas de indulgenciis in calathis quos secum portabant ad vendendum. Simon enim maledictus fuit a Deo et mortuus subito statim post verba apostoli Petri, quia donum Dei existimavit pro pecunia possideri, et haberi, et tum non potuit pecunia esse dignum precium doni Dei, sed sacrificium Deo spiritus contribulatus, i. e. dolorosus, pro offensis contra Deum factis.

[p. 629.] **Infernus.** Hæc dominus Lincolniensis manu sua propria super textum, quod scriptum suum vidi anno Xti 1455, et credo quod opera domini Lincolniensis doctoris Roberti Grosetest, quæ vidi, scripta manu propria seu propria scriptura ipsius doctoris, extendunt se in judicio meo ad quantitatem doctoris De Lyra super scripturam sacram.

[p. 640.] Vidi ego, Thomas Gascoigne, miser sacerdos, hoc scriptum suum super Psalterium, propria manu sua scriptum, et est Oxoniæ inter fratres minores et registratur ibi ille liber Epistolæ Pauli A.

et scripsit idem doctor super Psalterium usque ad Psalmum centesimum inclusive, ut patet in opere suo super Psalterium scripto manu sua propria, quod idem opus ego vidi Oxoniæ pluries anno Xti m^{mo} cccc^{mo} quinquagesimo sexto et antea.

[p. 670.] **Judæi.** Circa annum Domini millesimum quadringentesimum xl^{m} Judæi ex licencia Soldani Siriæ inhabitaverunt unum vicum prope Jerusalem, ibi viventes sub tributo, et anno Domini millesimo cccc^{mo} xl^{mo} vij^{o} plures Judæi de Hispania, senes et juvenes, uxores et pueri eorum, et suggentes ubera matrum suarum, navigantes ad portam Joppen, ascenderunt Jerusalem ibidem ædificantes, et manentes sub tributo; et credo quod Judæi confluentes illuc ex diversis partibus tunc credunt se vincere Saracenos, et Paganos, et Xtianos, et tunc ædificata Jerusalem de materia aurea et templo Domini, dicent Xtum suum, i. e. Antichristum, venire in Jerusalem in templum sanctum suum, ut dominator quem quæsiverunt, et ut angelus testamenti, quem ipsi volunt, ut ipsi applicant et trahunt ad intellectum repugnantem menti auctoris, verba Dei per Malachiam, capitulo iij^{o}.

[p. 671.] Post incarnacionem Xti et post ascensionem Xti Xtiani ibidem et in Siria diu inhabitabant, et ipsis pro peccatis expulsis, Agareni, i. e. Ismaelitæ, qui se vocant Saracenos, ibi manent; et jam circa annum Domini m^{m} cccc^{m} xlvij^{m} manent ibi Judæi, tributarii Saracenis ibi manentibus et Soldano Egipti.

[p. 672.] Judæi dicunt universas naciones, futuro Xti sui tempore, Judaico populo servituras et imperium Romanorum, qui terram Judæorum gentibus diviserunt, esse conterendum ungulis Judæorum et cornu, i. e. potencia, quæ falsa esse patet ex Scripturis.

II. [p. 1.] **Lex.** Sic diversi servant legem, non quia lex est, nec quia justum est, ut fiat, sed quia sic facere est medium congregandi sibi ipsis divicias, et eciam quia lætantur inferre aliis pœnam et verecundiam. Sic faciunt qui ponunt hominem accusatum in carceribus ut habeant ab eo decem mercas ut exeat sub fidemjussoribus, et propter

talia lucra optant leges transgredi. 'Jam,' inquiunt, 'surgunt lucra nostra, quando homines peccant contra leges,' et sic lætantur in rebus pessimis, propter lucrum pessimum quod sequitur ex peccato aliorum.

Audivi enim unum baccalaurium legum dicentem, 'Utinam essent plures malefactores quam sunt, quia tunc nos legistæ haberemus magnum lucrum!' et sic optavit ut essent mali, propter lucrum quod intendebat per implacitationes habere.

[p. 6.] Domine Deus! da, ut episcopi et prælati sint ita proni ad mittendum bonos et veros doctores in messem tuam, i. e. in populum tuum, sicut nuper fuerunt prælati proni ad prædicatores revocandos; statuerunt enim neminem prædicare quem possunt impedire, nisi talis fuit qui eorum habuerit licentiam, pro qua obtarenda solvet pecuniam. Tu dixisti, Domine Jesu, 'Solvite asinum, et adducite michi.'

[p 9.] Ego doctor, qui hæc scripsi, novi quod unus ballivus regis in tempore Henrici Quinti, regis Angliæ, nomine Johannes Richworth, dixit uni viro: 'Hodie,' inquit, 'pecuniam non sum lucratus. Immo dabo tibi, vel cuicunque alteri, qui perturbet pacem in hac villa isto die, unam potellam vini, quia tunc lucrabo pecunias;' et alio jurante quod perturbaret pacem, recepit a ballivo vinum, et, vino potato, mox cum olla fregit caput ejusdem ballivi, dicens, 'Feci pro quo me conduxisti;' et magna lis orta tunc fuit inter eos in eadem villa, et in eodem castro, et sic, qui custos fuisset legis, conduxit hominem, ut fractæ sint leges, ut ipse lucraretur ex transgressione legis pecunias. Istud fuit factum in villa de Pontefracto, in comitatu Eboracensi; qui vidit mihi testimonium perhibuit, anno Domini 1448, in manerio de Hunslet, Eborac. dioc. In quo manerio fui natus.

[p. 12.] Nuper enim in Anglia, circa annum Domini 1443, inventa est una falsa lex inter cæteras, quod si aliquis habens terras taliatas sibi et hæredibus suis, legitime ex ipso procreatis, ponat illas in vadio ad certum tempus alicui pro pecuniis mutuo recipiendis, tunc si mutuanti non solvantur pecuniæ in die præfixa solutioni, tunc terræ

illæ talliatæ erunt in feodo simplici viro illi qui mutuavit pecunias, et hæres cui terræ talliatæ sint sic injuste excluditur a sua hæreditate. 'Væ illi! per quem scandalum venit,' i. e. occasio tanti mali, ut exequatur talliare terras, et dominum qui est in feodo simplici terras, quas ipse habet sine conditione, dare cum condicione, scilicet quod tales et tales habeant post eum terras illas.

[p. 14.] Exposicionem scriptam manu propria ipsius domini Lynconiensis doctoris Roberti Grosseteste, ego Thomas Gascoigne, in Eboracensi diocesi in Anglia natus, vidi Oxoniæ, anno Domini m° cccc° xxxiiij°, quando incepi secundum formam tabulæ et secundum ordinem literarum alphabeti librum seu scriptum de veritatibus collectis ex sacra scriptura et ex scriptis sanctorum et doctorum.

[p. 18.] **Licentia.** Si forte dicis, Papa Romanus concessit tibi licentiam aliquid faciendi vel non faciendi, seu ad aliquid habendum, quod desideras. Respondetur, potius considerandum est illud, quod papa tibi concessit quam quis illud tibi concessit, et papa potest male et erronee informari, et sic ignorare veritatem et errare in concedendo, et ideo diceret, sicut dixit Sanctus Petrus et cæteri apostoli Actuum primo cap°. . . . 'Tu, Domine, qui corda, etc.'

[p. 19.] Consimiliter considerandum est potius, quæ papa vellet ad salutem animarum et ad cultum Dei augmentandum, potius, dico, est hoc considerandum, quam quid vult. Cogitur enim pluries dominus papa et nimiis instantiis regum, et dominorum, et sæpe cardinalium, et referendariorum, plura concedere quæ non judicat ex scriptura sacra nec ex racione mera fore concedenda, nec divino judicio consona.

[p. 20.] O Domine Deus! concede ut vicarius tuus, dominus papa, videat quot magna mala sequuntur in pluribus locis et abbathiis ex privilegiis eis concessis, et licentiis, et præcipue in ecclesiis cathedralibus, in quibus decani et præbendarii non obediunt episcopo suo, nec per eum volunt visitari, nec corrigi, allegantes usum perversum in contrarium fuisse admissum, et etiam privilegia papalia eis

concessa quæ multorum malorum sunt inter eos causativa per eorundem abusum.

[p. 21.] Sic nuper unus abbas obtinuit a papa plura privilegia contra suum episcopum in perpetuum, et solvit cuilibet papæ annuatim xx marcas, et xx lib. annuatim regi, ne rex habeat temporales redditus abbathiæ post mortem alicujus abbatis illius loci, et ille idem abbas appropriavit unam magnam ecclesiam parochialem suæ abbathiæ, ex cujus ecclesiæ bonis solvit prædictam summam annuatim, papæ et regi, xx marcarum, et xx librarum, et cura, et bonum regimen illius ecclesiæ parochialis per illam appropriationem destruitur, et illa abbathia milia potest annuatim expendere, et ibi vivunt ut domini deliciosi.

Item, nuper unus mundanus sacerdos optinuit licenciam a papa Eugenio iiij°, sub plumbo, ut esset decanus ecclesiæ cathedralis in Anglia, per provisionem papæ, sine eleccione et sine consensu ejusdem capituli, et sine consensu episcopi illius ecclesiæ, non obstante quocumque jure in contrarium seu privilegio prius concesso illi ecclesiæ; et ecclesia illa cathedralis vi et armis ei restiterunt, ita quod non intrabat in ecclesiam illam, et ut alius electus per capitulum esset decanus in eadem ecclesia, unus rex contulit episcopatum prædicto viro, proviso per papam Eugenium in decanatu prædicto; et sic papa absolvit omnes resistentes in materia, qui impedierant eum a prædicto decanatu, quos papa antea excommunicaverat; et idem provisus expendit in ista materia prædictæ provisionis in decanatum illius ecclesiæ mille marcas et quadringentas, et ipsemet dixit, me sciente quod sic dixit de seipso, et fuit vir vix grammaticam seu vocabula Latina intelligens, et fuit valde mundanus, et carnalis in moribus: et tum aliqui doctores nomine dixerunt regi quod fuit opus sanctum et bonum concedere sibi licentiam regis, ut esset episcopus in Wallia, et sic cessaret lis inter ipsum et alium virum qui fuit electus in decanatum prædictum ejusdem ecclesiæ per capitulum.

Item, consimile contigit pro electione duorum malorum hominum in abbatem unius loci, quorum unus quasi laicus fuit, et tum fuit electus in abbatem, et alter postea electus fuit in episcopum in Wallia, ut lis cessaret inter ipsum electum in abbatem et inter consocium suum electum esse in abbatem ejusdem abbathiæ regalis fundacionis et sepulturæ regum. Heu! heu! Domine Deus! ubi cubas jam in meridie, i. e. ubi est vera ecclesia tua, qua vere requiescis? O domine papa, Xti vicarie! accingere gladio verbi Dei, quia dii falsi in terra vehementer elevati sunt[1].

Item, nuper unus homo, qui optavit ut esset electus in decanatum ecclesiæ Sarum, in die electionis, auctoritate archiepiscopi, pronunciavit nominatim certos viros esse tunc excommunicatos, et per plures antea fuisse pronunciatos pro contumacibus, et hoc fecit quia novit quod illi viri non voluerunt eligere ipsum in decanatum, et sic per excommunicationem non haberent vocem in electione illa.

[p. 22.] Nuper enim vidimus quod pueri, juvenes, et alii valde viciosi, promoventur et exaltantur in episcopatibus, abbathiis, et in decanatibus, et in archidiaconatibus, et in magnis præbendis, et in ecclesiis, et maturi viri, et experti in vita, et scientia, et in supremo gradu theologico, excluduntur, et pauperrimam vitam ducentes, nullam ecclesiam nec regimen populi habent, et pueri juniores, xij vel xvj annorum, habuerunt nuper licenciam papalem, ut sint canonici et esse rectores in magnis ecclesiis, curatis exclusis a cura, doctis et maturis viris, ætate, moribus, et scientia; et sic ponitur arundo in domo Dei loco columnæ lapideæ, et vitulus in aratro loco bovis, quando bos haberi potest in eodem, et sic jam ordo rectus subvertitur, et, ut creditur, maledictione Dei regna in hac causa mox punientur. Tales promoventes et illi qui officia et regimen populi talibus conferunt judicio durissimo punientur, et ejicientur, cum Hely, ab illis quæ præcipue dilexerunt, quia honorem et divitias ejus quem promovent magis

[1] Ps. xlix. 10, 'Quoniam dii fortes terræ vehementer elevati sunt.' Vulg.

quærunt quam Dei. Si enim honorem Dei quærerent, talem præficerent et ordinari laborarent, qui magis et perfectius opera Dei et salutem animarum verbo, et exemplo, et subsidio perficere posset et vellet. Dominus enim Deus dixit ad Heli, etc.

Ipsi contempnunt Deum qui ita sponte conferunt beneficia et officia illis qui eis placent, potius quam illis qui opera Dei magis perficere possunt et sciunt curæ attendentes, et in cura residentes. Tales contemnunt Deum, quia præponunt voluntatem hominis pocius quam illud quod jubet Deus. Tales sunt qui concedunt ecclesias vel officia illis pro quibus scribit rex, vel dominus terrenus, pocius quam illis quibus præcepit Deus in litteris sacræ Scripturæ fore conferendos. Concedat Dominus, pro sua misericordia, quod promotio fiat secundum Spiritum Dei, et quod sacerdotes et consiliarii, existentes cum dominis exhibeantur de bonis ipsorum dominorum! Item, exuti a cura aliorum, et si promoveantur, mox ad curam et ad officium eis traditum transire moneantur.

[p. 23.] Jam enim aliqui episcopi et abbates concedentes beneficium vel scriptum testimoniale sub suo sigillo recipiunt xl sol., vel centum sol. in una abbatia; et hæc vocatur lex curiæ, seu stilus curiæ, quam dominus papa faciliter potest tollere.

Olim enim commune dictum fuit in vulgo, et est adhuc inter plures de vulgo, quod dominus papa cotidie loquitur cum Deo, tribus vicibus, ut sciat quæ concedenda sunt, et quæ non, et quæ condenda, et quæ non sunt condenda, et ut cognoscat quæ leges editæ per homines evacuantur et destruantur. Sed quamvis hæc fuit credulitas vulgi, nos tum orare debemus, ut pro peccatis nostris, inspiratio Spiritus Dei, quæ est necessaria papæ pro membris, et læsio ab eodem non retrahatur, teste scriptura, propter peccata populi regnare fecit ypocritam, i. e. indignum et malum præsidentem.

[p. 24.] Nuper enim, in tempore Martini quinti, seu Eugenii papæ, unus episcopus in Anglia obtinuit bullam papæ ut ipse haberet secum in suos capellanos, quoscunque optaret de religiosis, vel rectoribus,

vel vicariis; et sic vicarii fuerunt capellani ejus; et sub illa licencia absentes erant a sua cura, et a sua vicaria per annos, vacantes suis deliciis et venationibus avium et canum. Item, jam aliqui, qui non habent licentiam habendi diversas ecclesias cum cura, acquirunt aliis hominibus diversas ecclesias, et, antequam eas conferant eisdem, faciunt eos obligari, per obligationes in forma legis regni, se annuatim soluturos acquisitoribus beneficii xx marcas, vel ultra; et ideo episcopus Heliensis, Magister Philippus[1], antequam admitteret aliquem ad aliquam ecclesiam, fecit ipsum jurare, quod prius non fecerat nec postea faceret talem obligationem. Item, fecit præsentatos ad vicarias ante suam admissionem in curam jurare, quod prius non fecerant obligationem, nec juramentum religiosis, cui (*sic*) illa ecclesia est appropriata, quod ipsos non vexarent nec implacitarent eos pro augmentatione vicariæ. Ideo benedicatur anima ejus, quia fuit causa quare vicariæ fuerunt melius dotatæ et augmentatæ!

Væ! Væ! nequiciæ modernorum, perit justicia primitiva: nuper enim, propter verberationem unius viri rustici, tenentes unius comitis surrexerunt millia hominum, et occiderunt non illum qui malum fecit, sed plurimos qui non noverunt factum, nec illum qui illum occidit; et tunc projecerunt ad terram, et penitus destruxerunt magna maneria, et horrea plena granis destruxerunt, et domos plurimas projecerunt et in partes confregerunt, ita quod nulli usui ligna apta fuerunt, et hoc et alia mala fecerunt, quamvis omnia, quæ destruxerunt, pertinebant ecclesia cathedrali proprii eorum episcopi; et hæc fecerunt quia episcopus excommunicaverat eos resistentes ejus correctioni, et etiam propter causam hic scriptam, et ex hoc exemplo pessimo, quando unus miles vel armiger irascebatur cum alio, statim surgebant adhærentes alteri parti eorum, et verberabant et mutilabant vel occiderunt omnes quos suspectos habebant, qui alteram partem diligebant, vel qui de illa parte terram tenuerunt, vel domus

[1] Philip Morgan, died Oct. 25, 1435; translated from Worcester, 1426.

et orrea eorum projecerunt, et penitus destruxerunt, cum eorum bonis et granis, et bestias eorum occiderunt; et tamen nec in jure regni, nec in executione juris ecclesiæ puniti fuerunt, nec perdita reparaverunt, nec ad reparandum aliquid solverunt, et milites inter cæteros hoc fecerunt. Item, novi unum juvenem verberantem alium hominem eo quod idem verberatus voluit inpuisse unum canem magistri sui, et mox unus pessimus miles et filius dyaboli et patrem ipsius, qui reum verberavit, cepit, ligavit, et duxit ligatum ad castrum, et ibi ipsum detinuit in ferro et fame, unde ex illa incarceratione moriebatur, ex infirmitatibus et doloribus causatis in ipso, dum fuit in carcere, et valde bonus homo fuit in fama, et prædictam verberationem penitus ignoravit, nec post factum agenti favebat, et tum tyrannice hæc passus est, et sui filii plura mala passi sunt. Item, idem tyrannus vel miles vendidit unam magnam silvam, sub suo signo, uni viro fideli, et quando pecuniam præ manibus accepit, mox silvam illam a præfato viro vi abstulit, et aliis vendidit, et in suo proprio loco asportavit et indenturas parti sui fregit. Unde ille fidelis homo omnia bona sua perdidit, et in magna tristicia obiit, et tamen in talibus malis nullus judex sedit, nec tyrannum prædictum punivit, nec audent jam sustinentes manifestas injurias quærelas suas narrare, nec dicere, nec testimonium perhibere, quia mox tunc verberantur vel occiduntur, et domus eorum destruuntur, et fugantur eorum amici, quamvis nichil in materia agant. Hæc scribo, ut posteri cognoscant quod juste punit Dominus regnum ubi talia multa alia pessima regnant, et sic justi auferuntur, et qui considerarent, non ponderant. Sed veritas vitæ, doctrinæ, et justiciæ corruit in plateis; credo quod inicia dolorum hæc sunt. Deus videat Dominus, et requirat, sicut oravit Zacharias sacerdos, quando lapidabant eum pro reprehensione peccati eorum, ut patet 2° Paralipomenon 24°.

[p. 25.] Jam enim habundant licenciæ non residendi in ecclesiis, nec in officiis, et ipsi, qui habent beneficia seu officia, vacant suis

deliciis, et alii officiarii quibus vices suas committant opera pauca faciunt nomine eorum.

[p. 26.] Noli, quod destruantur illa quæ fierent per illa bona in parochia per curatum, cui illa bona data erant propter bona fienda coram parochianis, et eisdem parochianis, et pro eisdem, sc. exemplum sanctum, devota oratio, doctrina, sanum consilium, et remedia temptationum, hospitalitas, et elemosina, et exhibicio juvenum ad studia literarum, ut rector ecclesiæ dicat cum Job, 'Oculus fui cæco, etc.'

[Ib.] Item, quia ex fundatoris voluntate ministrarent necessaria subsidia indigentibus, tanquam dispensatores bonorum mundanorum. Item, sunt elemosinarii parochianorum, et suorum fundatorum, quia non habuerunt ista ex jure communi, nec ex jure hæreditario, sed ex donatione eorum, qui bona illa dederunt illis in puram et perpetuam elemosinam. Sed Sanctus Beda, in Epistola ad Egbertum episcopum hortatur, ut rex per instantiam episcopi sui videat, quod dotatio domorum religiosarum sit ita mensurata, quod sufficiant terræ et tenementa pro militibus et aliis secularibus qui terras inhabitarent, et qui regnum ad inimicis defenderent. Sed tunc 'domus orationis in spelunco latronum vertitur,' quum vile palliolum, i. e. religiosi in simplici habitu, possident regum opes.

Qui enim licenciam habet seu dispensacionem videret, ne licenciæ suæ usus vel abusus sit læsio vel causa ruinæ in peccatum sibi ipsi vel aliis, sicut habentes licentiam non residendi in curis suis et officiis vacant deliciis suis in regum domibus et dominorum mundanorum, et honoribus mundanis tument, et sibi coacervant ecclesias, et officia, et anhelant ad et episcopatus, et ad altiora quam habent, et consimiliter habentes ecclesias appropriatas ex licentia multiplicant sibi plura fercula, et ornatus superfluos, et convivia dominorum, et dona eisdem, et parochiæ ecclesiarum eis approprietarum pereunt, et tanta expendunt in vanis, quia non possunt sufficienter perficere ea quæ facerent, et illa quæ sic expendunt plura bona fieri possunt, quæ jam pereunt.

[p. 27.] Præcedente recto judicio Papæ, qui judicaret an sit æquum et justum coram Deo, an non, et tum sic habere, sicut nuper unus episcopus[1] Turonensis habuit in Francia et in Anglia (duos episcopatus). Dampnabile est, quia in magna detrimenta utriusque dioceseos, ita quod in una diocesi plures moriebantur sine sacramentis, et aliis eis necessariis, et tum ille episcopus, vacans consiliis armatorum in bello contra Christianos, fructus annuatim recepit utriusque episcopatus, et tamen nusquam fuit in sua dyocesi in Anglia, quamdiu vixit, quamvis in Anglia moriens in ecclesia sua Heliensi sepultus fuit.

Sicut novi hominem unum fatuum naturalem habentem xij beneficia, et multipliciter pereunt sui subditi ex illa licencia. Vide Sanctum Bernardum ad Eugenium papam, an liceat, an deceat, an expediat, quod optas fieri per licentiam, quam patet.

[p. 30.] **Inepta lætitia.** Quod inordinata tristicia et gaudium modum excedens operantur in præsenti, metus aut spes faciunt de futuro, dum adversa plus quam decet timemus esse ventura, aut prospera quæ speramus in tantum nos facit exultare ut non teneamus modum. Has perturbationes, uno et non pleno versiculo, illustris poeta, scilicet Virgilius, vi° Enoydes comprendit:—

'Hinc metuunt cupiuntque, dolent gaudentque, neque auras
Respiciunt, clausi tenebris et carcere cæco.'

[p. 37.] **Luxuria.** Novi in confessione virorum, anno 1443, quod plures viri, per actum libidinosum luxuriæ, habuerunt membra sua corrupta et penitus destructa, non solum virgam sed genitalia; et alii habuerunt membra sua per luxuriam corrupta ita quod cogebantur, propter pœnam, caput virgæ abscindere. Item, homo Oxoniæ scholaris, Morland nomine, mortuus fuit Oxoniæ ex corruptione causata per actum luxuriæ.

[p. 47.] Novi enim ego, Magister Thomas Gascoigne, licet indignus sacræ Theologiæ doctor, qui hæc scripsi et colligi, diversos viros,

[1] Louis de Luxembourgh, Archdeacon of Rouen; died Oct. 4, 1443.

qui mortui fuerunt ex putrefactione membrorum suorum genitalium et corporis sui, quæ corruptio et putrefactio, ut ipsi dixerunt, causata fuit per exercitum copulæ carnalis cum mulieribus. Magnus etiam dux in Anglia, scilicet J. de Gawnt, mortuus est ex tali putrefactione membrorum genitalium et corporis sui, causata per frequentationem mulierum. Magnus enim fornicator fuit, ut in toto regno Angliæ divulgabatur, et ante mortem suam, jacens sic infirmus in lecto, eandem putrefactionem regi Angliæ Ricardo ij^{o} ostendit, cum idem rex ipsum ducem in sua infirmitate visitavit; et dixit michi, qui ista novit, unus fidelis theologiæ bachillarius. Willelmus enim Longe, vir maturæ ætatis et decentis, Londoniis mortuus est ex tali putrefactione membrorum suorum genitalium et corporis sui, causata per copulam carnalem cum mulieribus, ut ipsemet pluries confessus sit ante mortem suam quando manu sua propria elimosinarie distribuit, ut ego novi anno Domini millesimo cccc^{mo} xxx^{mo}.

[p. 50.] Novi enim, anno Domini millesimo cccc^{mo} xliiij^{to}, mulierem quæ fuit sæpius carnaliter cognita et voluntarie a viro voluptuoso sibi, et tamen in crastino Pentecostes, post voluptatem suam impletam, eadem mulier, viro dormiente, in quinque locis vulneravit virgam ejusdem viri cum cultello, ita quod postea urina exivit in superiore parte virgæ sic abscissæ; et tamen idem vir, gravi somno tunc detentus, illam scissionem non percepit, quousque per certam moram ambulasset postquam vigilavit, toto enim tempore illius scissionis somniavit, et parvo tempore postea antequam illam scissionem vigilando percepit; nec impossibile fuit, quod sic dormivit. Novi enim mulierem dormientem, nomine Isabellam, et ipsam dormientem magister domus traxit, et vocavit, et palpavit, et manu sua crines avellebat, et tamen nec tunc nec postea per duas horas vigilabat; novi etiam aliam per duos dies dormientem, et verberata non vigilabat, sed dormiens permansit toto tempore verberationis et flagellationis.

[p. 53.] Unde tales libidinosi pluries habent pœnam in eadem re

in qua maxime delectabantur; sicut putrifacciones et corruptiones in membris secretis, et consumptionem corporis, et sæpe occiduntur ab illis cum quibus peccaverunt, ut cognovi in juventute mea unam mulierem suspensam fuisse, quia in nocte in lecto occidit concubinarium suum, et bona sua furtive accepit. Luxuria polluit corpus, depauperat opes, separat animam a Deo, facit hominem debilem in viribus corporis, facit eciam hominem debilem in oculis, et debilem in visu, et facit hominem acerbum esse et raucum in voce; unde ista sex mala quæ sequuntur luxuriam continentur in versibus—

'Luxus corpus, opes, animas, vim, lumina, voces,
Polluit, adnihilat, necat, eripit, orbat (i.e. privat), acerbat.'

[p. 54.] Plurimis hoc evidet, et anno Domini 1450, quando homines de Hungerford et Nubery publice latrones fuerunt, unus eorum cum cultello suo scidit membra secreta et ventrem unius puellæ xj annorum, eo quod ipse miser concumbens cum ea non potuit cognoscere eam carnaliter.

[p. 64.] Illud scriptum (contra luxuriam), ex manu sua propria, ego, Thomas Gascoigne, vidi Oxoniæ, anno X[to] 1455, et est inter Minores, in libro registrato, E[pus]. Lincoln. I. Et dominus Lincolniensis scripsit illud scriptum contra luxuriam manu sua propria in libro post dictum dominum Lincolniensem xxiij, et tamen illud scriptum domini Lincolniensis cum manu sua propria contra luxuriam non est in numero dictorum suorum, sed est opus per se distinctum, scriptum manu propria domini Lincolniensis contra luxuriam; et illud scriptum domini Lincolniensis, doctoris Roberti Grosteste, est inter fratres minores Oxoniæ, in hoc registro, E[pus]. Lincoln. I, scilicet, folio vicesimo quinto, ut vidi anno Xti 1455, post mortem Nicholai papæ, in cujus tempore fuit annus jubileus, et quinquagesimus Romæ, scilicet, annus Xti 1455, et indulgencia illius anni concessa visitantibus tum Romam fuit concessa existentibus in Anglia, ut existentes in Anglia, confessi cum debita satisfactione coram Deo, eandem indulgentiam haberent anni

jubilei quam visitantes Romam habuerunt, ex concessione papæ Nicholai quinti, Jannensis natione, cujus nomen ante papatum fuit Doctor Thomas de Sarazano.

[p. 67.] Novi enim unum fratrem, ordine fratrum prædicatorum, qui valde malus in verbis et actibus fuit, qui dixit hominem non damnari pro fornicatione simplici; et novi quod fuit publice excommunicatus in capitulo generali fratrum prædicatorum in Anglia anno 1455.

[p. 77.] In anno Domini 1450, quando magna insurrectio facta est in Anglia per vulgus et per communitatem Angliæ in Cancia, et in aliis Angliæ partibus, unus vir Belial juxta villam Nubery, intendens concumbere cum una puella xj annorum in ætate, cum cultello suo scidit membrum secretum et ventrem puellæ, ut suam impleret cum illa libidinem, quia aliter non potuit, et cito postea puella mortua est; et ipse vir Belial, i. e. sine jugo rationis, in Oxonia incarceratus est; et sic quia non potuit implere voluptatem suam cum illa puella xj annorum intrando in eam, ideo cultello divisit et scidit membrum secretum puellæ et ventrem: cum enim res venit in inordinatum affectum, perit rationis judicium, ut inquit Sanctus Gregorius in Omelia; et Deus scit, quod ego credo, quod defectus bonorum curatorum in ecclesia est causa malorum quæ regnant jam in Anglia, et in regno Angliæ, quod nuper perdidit totam Normanniam, et Andegaviam, et Cenomaniam, et Vasconiam sine resistentia facta Francigenis et sine pacto seu conclusione pacis habendæ.

[p. 86.] **Maria.** Semper enim beatissima Maria est terribilis dæmonibus, sicut est terribilis castrorum acies debilibus pugnatoribus; consimiliter potest dici de quolibet sancto, cujus meritis et precibus ducitur dæmon a possesso; sicut nuper novi Oxoniæ, circa annum Domino m° cccc° l°, et circa annum Domini m° cccc° lij°, quando hominibus orantibus ad Sanctam Brigittam viduam quondam, et principissam Sueciæ, novi virum graviter mentaliter vexatum horrore et timore per Sathanam immisso, quem novi tunc subito liberatum ab

illa magna vexatione mentali, beata Brigitta sibi in mentali visione aut specie fulgenti apparente et cum verbis mentalibus eum consolante. Item, novi tunc Oxoniæ quendam magistrum Ricardum Tenant, qui horribiliter et sæpissime vexatus est, possessus a maligno spiritu, vel a malignis spiritibus, quia semper longo tempore clamavit, 'Ego sum dampnatus! et sententia est data, Ite, maledicti, in ignem æternum!' 'Nullus est Deus nisi dyabolus!' et hoc sæpissime dixit publice coram pluribus, et me dicente sibi, 'In nomine Jesu Xti, dicatis, Jesu Xte! Deus et homo! miserere mei.' Ipse michi sæpe respondebat, dicens, 'Non possum hoc dicere;' et tunc, clausis labiis suis, similiter statim iterum verba prædicta horribiliter clamavit, dicens, 'Ego sum dampnatus, ego sum dampnatus, non est Deus nisi dyabolus!' et circumstantibus diversis hominibus, et ex motione unius ad Sanctam Brigittam sponsam Xti orantibus, prædictus magister Ricardus Tenant liberatus fuit de manibus dæmonum, et dixit sæpe, 'O Domine Jesu Xte! miserere mei.' 'Ego,' inquit, 'fui male vexatus;' et postea sæpe osculatus est ymaginem Xti Jesu crucifixi pro nobis; et postea sæpe, me audiente, 'Sancta Brigitta! ora pro nobis;' et receptis sacramentis ecclesiæ infra biduum post suam liberationem mortuus est, in die Veneris, et in vigilia Pentecostis Oxoniæ sepultus in ecclesia sanctissimæ Mariæ semper virginis; quam historiam scripsi latius in vita ejusdem Sanctæ Brigittæ, quam vitam ego transtuli de Latino in Anglicum, sororibus et monialibus de ordine Sancti Salvatoris in monasterio Syon, Londiniensis dioceseos. Hæc ergo mulier, sancta sponsa Xti Brigitta, magnam fecit confusionem in domo principis tenebrarum.

[p. 89.] **Mandata Dei.** Nimis ne alius hæc non in distortum invertat prima custodia fit imitatione, 2ª eruditione, 3ª disputationis defensione. Hæc dominus Lincolniensis doctor Robertus Grosteste, qui fuit quondam archidyaconus Leycestriæ, et postea episcopus Lyncolniensis, sanctæ memoriæ, et habet hæc prædicta in exposicione sua propria et propria manu sua scripta super Psalterium, super Psalmum

55, cujus sandalia episcopalia, facta de cirpis, ego doctor Thomas Gascoigne, Eboracensis dyoceseos, vidi, et sunt Oxoniæ inter fratres minores in libraria conventus, sed non in libraria studencium fratrum.

[p. 92.] **Miracula.** Machometus vituperavit miracula facta per Deum in testimonium veritatis prædicatæ per Xti servos, vocans ea ludificationes dæmonum; et causa quare sic miracula vituperavit fuit quia ipse Machometus miracula non fecit, nec facere potuit, nec pagani, nec Arriani hæretici, quia, sicut Wyclivistæ, miracula sanctorum vituperaverunt, quia eis miracula defecerunt, ut in testimonium errorum suorum non fierent, ne falsum pro vero per miraculum putaretur; et tamen ascripsit miraculo terræ motum factum Londoniis, quando, ipso vivente et personaliter existente in consilio episcoporum Londoniis, plures conclusiones ipsius dampnatæ fuerunt coram archiepiscopo Cantuariensi Courtenay, et etiam dampnatus fuit Oxoniæ, et postea in concilio generali seu in concilio Constantino, coram papa Martino quinto, et ideo vocatur Wiclyffe nequam rita, (*sic*) memoriæ ter dampnatæ; et doctor Oxoniæ, Magister Willelmus Wordforth, ordinis minorum, ostendit causas et rationes quare merito dampnabantur xviij conclusiones Wyclyffe, et istæ 18 conclusiones abjurantur a quolibet Oxoniæ graduato, ut patet in statuto edito Universitatis, et illæ octodecim conclusiones dampnatæ patent in opere doctoris Willelmi Wordforth, misso archiepiscopo Cantuariensi, Thomæ Arundel, in quo patent rationes et causæ quare dampnentur. Notent ergo Oxonienses ibidem illas conclusiones; quod Wycliffe vituperavit miracula patet in 4° Trialogi sui, capitulo 36°, et per doctorem Walden, libro vj° sui Doctrinalis, capitulo 124°, et ultra illas octodecim conclusiones dampnatas, fuerunt plures aliæ conclusiones Wycliffe dampnatæ, Oxoniæ, et Londoniis, et in concilio generali Constantino. Et ipse Wyclyffe in 4° Trialogi, capitulo 36°, prædictum concilium episcoporum Londoniis in quo dampnatæ erant 200 conclusiones ejus, et ultra, vocat concilium tonitrui, tunc enim accidit tonitruum, in signum, ut ipse dixit quod fuit defectus attestationis humanæ

conclusionibus suis, et ideo dixit terræ motum fieri insolitum; in signum quod terra clamat pro eo, et tunc depravat in aliis libris miracula, et præcipue in capitulo 36° sui Trialogi tercii; canonizaciones sanctorum vituperat, est in capitulo 16° in Dyalogo sui majoris mendacii.

[p. 94.] Hæc magister Albertus, Livoniæ et Prusciæ archiepiscopus, et apostolicæ sedis legatus, in vita quam scripsit de Sancto Edmundo archiepiscopo quondam Cantuariensi. Qui Sanctus Edmundus fuit magister Artium Oxoniæ, et doctor Sacræ Theologiæ Parisius, ut patet in libro vitæ ipsius Sancti Edmundi.

[p. 96.] **Malorum hominum.** Notum est, quod nuper unus sacerdos, spoliatus a duobus latronibus, fugit ab eis in sua tunica, et dixit aliis nomina eorum, qui eum spoliare de omnibus bonis intendebant. Et ipsi duo latrones occurrunt ad castrum militis cujus servi erant, dicentes se cepisse illum sacerdotem furantem ferinam in silva domini, et quod ipse, captus ab eis, fugit ab eorum manibus, et fugiendo projecit vestem suam superiorem, et quod ipsi acceperunt vestem sic projectam; et statim domina illorum latronum, uxor militis, misit pro eodem sacerdote, spoliato vesta sua superiore, et eum incarceravit, et ipsum solvere 4 libras fecit, etiam ipsum jurare fecit quod nunquam implacitaret illos latrones, de tali, 'quia in iniquitate sua morietur, dicit Deus, etc.'

[p. 111.] **Mors.** Habet idem doctor dominus Lynconiensis, doctor Robertus Grosseteste, prædictam explanationem in Expositione sua propria scripta super Epistolas beatissimi Pauli, apostoli et virginis et doctoris orbis, et est illud scriptum domini Linconiensis de manu sua propria inter fratres Oxoniæ, in libro registrato Epistolæ Pauli A. Et expositio domini Linconiensis in illo libro scribitur in margine illius libri, et ibi exponit certos textus beati Pauli apostoli, sed non omnes, et etiam glosæ communis seu exposicionis communis. Glosa enim si dicatur in vulgo. Aliquo putatur felicitas. Dicunt enim diversi hæretici quod doctores sancti putative glosant evangelium secundum

voluntatem suam propriam, quamvis verum est, quod Dominus verba eorum confirmavit sequentibus signis, i.e. miraculis.

[p. 114.] **Monachus.** Audivi enim monachum dicentem, 'Licet enim monachis uti frenis deauratis, eo quod dominorum temporalium possessiones integras habemus, et ideo quia bona baronum habemus deauratis cum ipsis uti possumus, in equis phaleratis et in cellis.' Sed talis non dixit, quomodo bona talia data eis fuerunt in necessarium usum illorum, sine quibus cultus Dei et animarum salus augmentari non potest, vel ut sic facilius augmentetur. Item, ad hoc data fuerunt, eo quod dantes illa bona eis putabant illos quibus dabant racione scienciæ magnæ et perfectæ vitæ et doctrinæ, melius et perfectius disponere, et conferre, et dispensare illa bona, et expendere magis illa bona in augmentum scienciæ, virtutum, prædicationis verbi Dei, et in alia opera saluti animarum pertinentia, quam filii sui proprii et amici carnales; et ideo magis dederunt monachis et religiosis antiquis propter sanctorum operum augmentationem fiendam, quam amicis suis carnalibus propter mundana opera nutrienda et multiplicanda. Sed aliqui dicunt, 'Dispensationem habemus, et licentiam habemus a superiori nobis in terris, ut sic et sic secundum voluntatem nostram faciamus, ut non teneamur servare regulam nostram nec jus commune.' Sed Dominus dicit, Malach. ij° capitulo, 'Maledicam benediccionibus vestris,' i.e. hiis quæ possidetis, et propter abusum vestrum malediccionem benedictionibus vestris, i.e. licentiis et concessionibus vestris. Sordida enim conversatione sanctam rem seu religionem deturpatis, et qui inique agunt benedicuntur, i.e. a malis suis vocaliter et non realiter ab homine absolvuntur, et ad malum fiendum secundum voluntatem suam licenciantur, ideo dicet Dominus, 'Maledicam benedictionibus vestris' talibus, sive sentenciis et licenciis vestris et concessionibus. Hæc patent per Sanctum Jeronimum Malachiæ ij° in Commentario suo.

[p. 121.] **Nativitas.** Item, tunc imperator (sc. Augustus) decrevit,

ut nullus, nec serio nec joco, vocaret ipsum augustum dominum; et merito, quia verus Dominus tocius generis humani inter homines natus fuit, scilicet, expletis ab exordio mundi quinque milibus annorum et centum nonaginta novem. Item, illis diebus trans Tiberim de Taberna Meritoria per totum diem fontem olei terra exeundavit, et per totum diem largissimo rivo fluxit, in signum Xti adventus.

[p. 123.] **Nativitas Domini nostri Jesu Xti.** Ideo vos omnes, pro quorum salute Xtus venit, cavete et fugite in hoc sacro festo viciosa et turpia, et præcipue cantus inhonestos et turpes, qui libidinem excitant et provocant, et memoriam turpibus imaginacionibus maculant, et lædunt, et ymagines imprimunt in mente, quas expellere difficillimum est. Novi ego, scilicet Gascoygne, doctor sacræ paginæ, qui hæc scripsi, unum magnum et notabilem virum talem cantum turpem in festo natalis audivisse, et postea, infra breve tempus, illud turpe, quod in cantu audivit, fuit ita in mente sua impressum, quod nunquam postea potuit expellere a mente sua, nec species illas oblivisci, unde in tantam incidit tristitiam, quod ex illa moriebatur.

[p. 131.] **Ornatus.** Iste enim ornatus preciosus et superfluus, et aptus, nudans pectora mulieris, et ostendens colorem fuco, i. e. unguento, false adquisitam, et ornatus virorum, jam nuper inductus, citra annum 1429, plura mala causavit, in superbiendo, et in fornicando, et in adulterando, et in Sodomia, ut notum est pluribus. Homines enim femorum formam ostendunt et genitalium per aperturam togæ, et braccis jam non utuntur, sed caligis, in quibus forma magnitudinis membrorum turpiter ostenditur. Talis ornatus primo movet ad magna peccata, et retrahit mentes, quando de Deo cogitarent, ad pessima desideria et ad actus malos.

Item, ad turpia verba, quæ sunt dampnabilia, et ad tactus impudicos, qui in ardore libidinis alligant animam, et mentem captivant a sua libertate.

Item, expensas magnas causant, et sic consequenter retrahunt

homines, et impediunt, quod nec possunt nec volunt expendere bona circa sancta opera, et circa salutem animarum, et circa libros scribendos, et multiplicandos, et corrigendos, et circa pueros ad scholam, et prædicatores verbi Dei in patria exhibendos; quia jam cura destruitur per indignam promotionem, et per pluralitates, et per perpetuum malum in appropriatione ecclesiarum parochialium. Ornatus et vestes institutæ erant ad servandum naturam a nocivis et malis, et ut per talia signa cognoscatur unum officium ab alio, et eciam ut per illa ornamenta visa, reducat memoriæ onera suæ curæ, officii, seu gradus. Nudatio autem pectorum mulieris, quæ jam inolevit in juventute Henrici Sexti, regis Angliæ, circa annum Domini 1429, non est propter necessitatem naturæ, nec officii, nec gradus, sed magnum allectamentum est peccati videntibus, et venenum obtulit, quamvis ex gratia Dei nemo ex illo biberet, et ideo in quantum in ipsa est animas videncium interficit.

[p. 135.] **Occasio magni peccati.** Novi enim jam unum archidyaconum magnum, qui non est sacerdos, nec unquam erit, ut creditur, quia fatuus est ex origine, et habet xij præbendas, et nunquam tenet residentiam in aliqua earum, et tantum xx lb. pro expensis, et illæ expenduntur secundum voluntatem secularis viri, qui sibi servit, et omnia alia bona recepta sunt in manibus secularium; et quando synodus seu archidiaconatus est in villa, ubi ipse moratur, ipse non intrat in synodum, sed ludit cum cane vel cum laicis trufatis: hæc novi esse vera, et scribo pro magna causa.

[p. 157.] **Papa Romanus.** O Domine Deus! dignare inclinare cor et mentem domini Papæ, ut provideat viros in ecclesia, in episcopos, rectores, et judices, et officiarios, ut faciant opera, ad quæ fienda Deus misit episcopos, et judices animarum. Episcopi enim, abbates, et rectores, et alii jam eliguntur imperio regum et dominorum mundanorum, et jam conferentes officia ecclesiastica conferunt ea indifferenter quibus volunt non quibus debent, dicentes divitibus sacerdotibus, cum Juda proditore, 'Quid vultis michi dare, et ego vobis

eum tradam?' et tradunt animas Xti sanguine redemptas in manus luporum, qui oves rapiunt, et dispergunt, et non eas nutriunt in pasturis Jesu Xti verbo, sancto exemplo, bono et auxilio. Heu! heu! posuerunt Jerusalem in custodiam cæcorum et ebriorum et curæ non vacantium, et excludunt eos qui sciunt, possunt, ut optant magis animabus prodesse. Heu! quia, ut novi, unus juvenis xx annorum quasi quotidie ebrius, habet xij præbendas, et unum magnum archidiaconatum, et tamen non residet in aliqua earum, nec tenet hospitium, sed transit ad communas cum alio, nec recipit redditus suos nec eos expendit, sed unus laicus omnia illa recipit, et expendit, et compotum ei nunquam reddit, quia non est capax compoti, qui illa beneficia retinet nomine et non re.

[p. 158.] Ex multiplicatione licenciarum, et talium concessionum, et appropriacionum ecclesiarum parochialium, et exempcionum, crescit lucrum curtesanorum astantium papæ, et aliorum officiariorum et Romanorum; et, nisi papa talia concedat et condat qualia ipsi optant eum concedere, pro eorum lucro augmentando, astantes papæ ei insultant, et ei inimicos excitant, et ad ejus deposicionem vel intoxicacionem laborant. Item, aliud est quod infert magnum detrimentum papæ, scilicet, electio sua quam facit de cardinalium, qui eliguntur ab eo, propter sanguinem, vel quia quod divites sunt in mundanis, et post eleccionem in cardinalatum licenciam habent, ut retinerent priores episcopatus suos in commendam, non obstante quod solebant episcopi electi in cardinales Romanos ipso facto resignare priores episcopatus suos, et assistere papæ in consulendis et ordinandis et reformandis. Unde in diebus modernis diversi fuerunt cardinales in Anglia, et Gallia, et in aliis regionibus, qui nunquam fuerunt Romæ, nec cum papa post suum cardinalatum, set semper manserunt in suis propriis regionibus, vacantes suis honoribus pocius quam suis curis, et cum hoc retinuerunt priores suos episcopatus in commendam, quos habuerunt ante cardinalatum suum, et tum nunquam viderunt papam quamdiu

vixerunt. Tali qui exaltat in ecclesia non exaltandos dicuntur verba Domini, Ezech. 21: 'Tu prophane et impie dux, auges cidarim, etc.'

Olim enim sancti papæ videntes monasteria vivere laute, et multo plura bona habere quam usibus eorum necessaria erant, retraxerunt ab eis plura bona, quæ non erant eis necessaria, sed pocius eos impediebant solicitudine nimia, et ideo sancti papæ dederunt illa bona, usibus eorum non necessaria, aliis viris bonis, doctrinæ et necessitati hominum vacantibus: dominus enim papa dispensator est bonorum quæ committuntur ecclesiæ, unde ea in illos usus potest papa conferre, et illis hominibus qui melius possunt, sciunt, et volunt bona ecclesiæ ad laudem Dei et ad animarum salutem melius expendere; et hæc alienatio bonorum a certis viris et collatio eorundem bonorum aliis hominibus, vocatur commenda bonorum ecclesiæ, seu collatio in commendam; et sic dominus papa alienavit dominium de Bernalwyk ab abbathia de Kyrkestall et abbati ejusdem licenciam alienandi contulit.

[p. 159.] Religiosi enim plures in sua fundacione citra opera sua spiritualia laborabant suis manibus, et ex illo labore vixerunt, et in sua fundacione, et parvos redditus et paucos agros habuerunt, ex quibus vixerunt una cum proprio labore manuum. Novi enim unum locum, qui ex sua fundacione habuerunt terras et agros ad valorem sexaginta librarum, et infra paucos annos pecuniis emerunt redditus mille marcarum; dabantur enim eis bona ut sua necessaria habentes, residua aliis ministrarentur, et præcipue sanctis pauperibus qui doctrinæ et sanctæ vitæ et augmento scientiæ vacant. Conferentes enim bona religiosis et collegiis et cantariis, non possunt impedire quin collata per eos sint in disposicione papæ, et quod subsint ejus judicio, qui quod justum videtur coram Deo judicare debet, et illa bona disponere ut bonum videtur in judicio suo coram Deo. Nuper enim, unus prior religiosus, habens xvj ecclesias loco suo appropriatas, dedit et concessit magnam pensionem annualem cuidam legistæ, qui exequitur mandata episcopi in magno officio curiæ Christianitatis, et

idem prior dedit eidem legistæ jus præsentandi omnes illas ecclesias sic, quod ille defendat eum ab omnibus vicariis et parochianis qui in curia episcopi sui implacitant priorem, pro illis quæ faceret in ecclesiis appropriatis suo prioratui, et ille malus legista contra jus senten-ciat pro priore, et ideo quærunt remedium in jure regni.

[p. 161.] Dominus Papa, Xti vicarius, potest terras et redditus qui dantur cæteris locis et monasteriis alienare et conferre aliis locis et ecclesiis parochialibus, ut majora bona et majus lucrum animarum ex ministerio illorum bonorum proveniant, sicut Dominus Deus retraxit ab Hely et suis successoribus quæ prius eis contulerat et permiserat, dicens P°. Regum, 'Absit hoc a me,' scilicet, ut permittam te et tuos successores ex tua posteritate habere et retinere quæ tibi prius promisi, quod illa haberent, et quæ tibi contuli; abutebantur enim datis, et ideo juste per Deum et per ejus vicarium retrahi ab eis possunt, et aliis conferri, qui inde majorem fructum afferent. Ecclesiæ enim parochiales et cura animarum jam in pluribus locis Angliæ destruuntur per appropriacionem ecclesiarum parochialium, et domini terreni decepti sunt dicentes, 'Melius est enim quod ecclesia appropriatur tali loco, quia plures personas exhibet per bona illius ecclesiæ, et plures missæ eciam celebrantur ibidem pro parochianis illius ecclesiæ appropriatæ, quam quod unus superbus habeat illam rectoriam et vivat laute ubi voluerit per bona illius ecclesiæ.' Tales, qui sic dicunt, non considerant quod multiplicare inconveniencia non est ea solvere. Ipsi enim sunt causa quare ecclesiæ dantur indignis, et quare earum bona male expenduntur, per malos, quibus ecclesias conferunt; ipsi enim dicerent, 'Si ecclesia seu bona rectoria esset data bono et habili viro, qui fideliter promittit se residere in eadem, tunc plura bona debita fierent inter parochianos, eisdem, et pro eisdem, et per illum bonum rectorem exhiberentur plures juvenes, qui essent magni clerici in scholis, et sacerdotes, qui, per orationes suas, et missas, et prædicacionem, et sancto exemplo, magis Deo placerent,

et plures animas verbo et exemplo bono Deo adquirerent, quam omnes illi, et verisimile est, quibus ecclesia illa appropriatur; et eciam si rector bene in cura sua resideret, et bona terrena magnæ ecclesiæ recte expenderet, tunc majora bona et plura fierent in mille animabus suorum parochianorum per verbum, exemplum, et per subsidium curati, quam verisimile est quod fiunt vel fient in illis, quibus ecclesia est appropriata.' Item, talia fieri inter parochianos est opus debitum et eis utile, quia non solum fit tunc bonum pro eis, sed eis, et coram eis, per curatum suum, per quem accenduntur ad bonum fiundum verbo et exemplo. Item, parochiani dant decimas suas et oblationes, ut bona opera spiritualia et necessaria eorum saluti fierent, eis, et pro eis, per curatum, qui eas recipit, et sic curati habent tales decimas ex debito legis et ex intencione Dei, qui eas pro tali facto dari præcipit. Alii autem, quibus decimæ ecclesiæ appropriantur extra parochiam, habent illas decimas ex licencia papæ, tanquam pauperes elemosinarii illorum parochianorum. Sed videte, ne hæc licencia vestra offendiculum et nocumentum fiat infirmis animabus et parochianis. O Domine Deus! inclina cor papæ, vicarii tui, remediare mala quæ perveniunt per appropriacionem ecclesiarum, et per non residenciam bonorum curatorum in eisdem. Jam enim appropinquat tempus in Anglia quo dicetur, 'Olim fuerunt rectores in Anglia, et jam sunt ecclesiæ ruinosæ, unde viri litterati non possunt honeste vivere et alios exhibere.' O Deus! benedic dominum Thomam Cumyrwurth, militem Lincolniensis dioceseos, qui, pro amore tuo et utilitate animarum, dedit terras et tenementa diversis ecclesiis parochialibus, quæ insufficientes fuerunt ad necessaria curati, ut curati in eisdem jam vivere competenter possent. O quam meritum papæ esset, si superflua plurium locorum et mitratorum faceret uniri rectoribus animarum devotis, et eos obligaret ad debitam et ad necessariam residenciam in cura sua, sub magna pœna! 'Dominus enim transtulit regnum de manu,' i.e. de proprietate, 'Saulis, et dedit illum David

meliori Saule,' ut patet P°. Regum, 15 capitulo. Sic Xti vicarius, dominus papa, qui est dispensator et minister bonorum ecclesiæ auctoritate Xti, potest in Dei cultum augmentandum, et lucrum animarum, res datas in usus alicujus ecclesiæ disponere et prudentiæ alicujus viri in commendam tradere, et eadem bona in meliores et in sanctiores usus converti, et præcipue in illos actus ex quibus sequitur major salus et lucrum animarum. In diversis epistolis sancti papæ Gregorii legitur quod Sanctus Gregorius fecit duos episcopatus de uno episcopatu, et terras et redditus unius ecclesiæ dedit in meliores usus alterius ecclesiæ, et concessit quod unus bonus pastor unius ecclesiæ haberet sibi et successoribus suis res alterius ecclesiæ, ubi paucæ personæ fuerunt, et pauca bona per illas terras et redditus fiebant. Item, idem sanctus Papa dedit licenciam viris ecclesiæ, ut invicem commutarent terras suas et redditus in majorem utilitatem consequendam, ut patet in eodem Registro Sancti Gregorii.

[p. 162.] Dominus Deus testatur, Jeremiæ 18° ca°., quod si gens peccaverit, et voci Dei non obedierit, tunc Deus aget pinnam super bono quod locutus est ut faceret genti, i. e. mutabit effectum quem promisit, et non faciet bonum quod promisit illi genti, sub conditione subintellecta. Consimiliter Xti vicarius, dominus papa, potest, propter abusum et peccatum, retrahere bona temporalia et privilegia uni ecclesiæ concessa, et in alios usus meliores illa bona conferre; et potest mutare collata, et retrahere collata, sicut Deus, propter peccatum, retraxit bona collata a Jerusalem, et ab Hely et a successoribus ejus. Patet primo Regum. Nec in hoc facit papa injuriam ecclesiæ, quia tunc in tali casu illa bona non debentur illis personis (quamvis dabantur personis illis in perpetuum sed sub conditione[1]), si potestas superior illa non revocaret, et eciam dans ea bona non intellexit quod aliquo tempore in perpetuum personæ cujus bona collata erant, illa retrahi a seipsis mererentur. Promissio enim Dei

[1] In marg.

non implebitur sine perseverantia boni meriti, ut testatur doctor Hugo de Vienna, ca°. xviij° Jeremiæ, nec permissio nec collatio alicujus boni temporalis permaneret nec remaneret illis personis a quibus Xti vicarius dominus papa indicat illa retrahi et in meliores usus converti; Dominus enim promisit se Judæis conferre plura bona quam unquam eis contulit, quia vicium et peccatum eorum causa fuit quod non receperunt promissa eis a Deo, et indignos se fecerunt accipere Dei sponsionem . . . consimili de causa et consimiliter ejus vicarius, dominus papa, potest concessa revocare et disponere ad Dei laudem et salutem animarum secundum quod judicat hoc esse consonum divinæ voluntati; sicut semper dominus papa concessit prioratus in Anglia et redditus eorum, qui fuerunt olim cellæ monasteriis in Francia, ex dono regis Willelmi Conquestoris, collegio de Eton juxta Wyndesoram et collegio Regali in Cantabrigia.... Sicut rex Angliæ ex concessione papæ tulit a viris religiosis, qui vocabantur Templarii, terras suas, dando eas aliis viris bonis et justis, et papa destruxit illam religionem Templariorum, ita ut deinceps nullus esset de illa religione, ut patet in bullis Papæ Romani, quas recitat egregius doctor, Magister Willelmus de Alverina, episcopus quondam Parisiensis, in libro suo De exempcionibus, ca°. 21°.

Aliqui moderni et novelli scolares, pocius verbis hominum vacantes quam fundamentis veris in Deo et in creaturis suis fundatis, ponunt quod non licet interpretari, i.e. exponere, verba papæ nisi secundum[1] significationem verborum grammaticalem; contra istos sic dicentes sunt plures evidenciæ. Xtus enim plura dixit quæ ab aliis sanctis viris exponi voluit et declarari, unde evangelista Sanctus Johannes exposuit verba illa Xti, Johannis ultimo, 'Alius scinget te, et ducet te, etc. Hoc,' inquit evangelista, 'dixit,' sc. Xtus, 'significans qua morte clarificaturus esset Deum,' sc. Petrus, sanctus apostolus, per suum martirium. Item, verbum vocale non est sic expressivum

[1] E marg.

noticiæ rei, quin indiget audiens declaracione rei significatæ, propter equivocacionem verbi, propter eciam sequelam, qua sequitur tali significacione verborum, quia aliter verba sæpe acciperentur contra mentem auctoris, et contra veritatem rei intelligibilis. Item, sancti doctores verba Xti exposuerunt, et Xtus sic voluit, et hoc significavit, quando dixit, 'Qui habet aures audiendi audiat,' i. e. qui habet donum ad intelligendum verba mea, eisdem vacet intelligendis. Item, magni doctores et expositores verba papalia exposuerunt super Decreta, Decretales, Sextum, Vij[m], et super Extravagancia, et magni papæ hoc fieri optaverunt. Item, papa sæpe fallit et fallitur, ergo in quo fallit et fallitur manifestaretur, ut veritas cognoscatur. Non tum dicendum est, papam in verbis suis intendisse talem vel talem sensum, si papa dicat, quod ipsemet papa dicens illa verba intendebat contrarium sensum. De rebus quas verba papæ significant, pocius tractandum est quam de verbis. Post mortem enim, sine nominum dignitate sola ducentur ingenia, nec considerabit qui lecturus est, cujus, sed quale sit quod lecturus est, sive episcopus, sive laicus, sic imperator et dominus . . . Papa enim consulte revocat instructus majori scientia, quod inconsulte asseruit, et inconsulte concessit. Ubi enim in homine sanccior est vita, miraculis divinitus factis confirmata, et ubi est in eodem major Spiritus Sancti gracia, et major sciencia, in eodem est major auctoritas in scripturis exponendis, et explanandis, sed non in causis decidendis. Ad primum requiritur magna scientia, ad aliud requisitum cum causæ cognicione, potestas judiciaria, quæ consistit in potestate cognoscendi causam, et in potestate sentenciandi de causa cognita, ut ostendit doctor subtilis magister Johannes Duns in iiij° libro Sententiarum, operis sui Oxoniensis, exposicione de confessione sacramentali. Unum enim malum magnum ecclesiæ modernæ est hoc, quod secundum famam communem homines de curia papæ, et papæ assistentes, ipsum papam publice interficere volunt, vel occulte per intoxicacionem, nisi papa voluerit concedere ordinaciones tales fieri, ex quibus sequuntur lucra assistentibus papæ

in sua curia, et nisi papa concedat exempciones, augmentaciones primorum fructuum episcopatuum, et dispensaciones seu dissipaciones et licencias non residendi in suis beneficiis omnibus qui manent in curiis regum, episcoporum, et dominorum aliorum, et nisi concedant indulgencias et licencias utendi mitris et alia irrationabilia, ex quibus lucrum magnum sequitur curtisanis de curia papæ. Maximum enim lucrum jam perveniens curiæ papæ inter cætera est hoc, quod papa vel ipsi quibus a papa causæ committuntur, concedunt plura et sentenciant pro una parte, et mox instante pecunia revocant eadem prius concessa; et aliquando revocant pluries revocata, ita ut nullus sit finis conclusus in materia Romæ appellata, ut nuper ostensum est in materiis controversiæ episcopi Lincolnensis domini Willelmi Alnwyk, et partis sibi adversæ decani superbi ejusdem ecclesiæ, qui optavit ut totiens sibi turificaretur, sicut episcopo; et si episcopus esset præsens in ecclesia Lincoln., quod nec episcopus nec alius inciperet officium in ecclesia illa, quousque decanus stallum suum intravit: ex qua controversia plurima mala secuta sunt. Et primi fructus episcopatuum, quæ circa annum Domini m ccc iij inceperunt, duplantur, et precio majori quam duplo solvuntur, sc. quinque mille, ubi antea unum mille solvebatur.

[p. 165.] Dominus papa consideraret, non solum quæ ipse potest facere vel concedere, sed quid alii possunt recipere; an, scilicet, hoc sit expediens animabus, et earum saluti, et an hoc liceat, et expediat saluti animarum; consideraret enim papa quod judex est, et quod potestas sua ex Dei jussione dependet; quicquid enim ligat, videat quod judicat secundum judicium Dei. De judicibus dicit Dominus, Ezechiel. xliiij ca°., 'Cum fuerit controversia stabunt in judiciis meis, et judicabunt leges meas, et præcepta mea custodient;' papa enim judicandi habet potestatem, 'Deus enim,' teste propheta in Psalmo, 'judicabit justicias,' ergo injustitias rejudicabit. Quicquid enim est ab apostolico supra terram ligatum, est cognitum in cœlo pro ligato; sed

non omne quod est volitum super terram est volitum in cœlo. Aliqui enim credunt quod curia Romana est ita cupida quod si papa neget, vel non velit facere, nec concedere illa ex quibus sequitur lucrum curtesanis, quod tunc officiarii et curtesani ipsum papam interficient publice, vel intoxicabunt eum ad mortem occulte. Infra paucos enim annos intoxicaverunt Alexandrum papam, et eciam Eugenium papam, ut dicebatur. De Alexandro constabat quod Johannes papa 23 ipsum Alexandrum intoxicari fecit, ut ipse Johannes esset papa; et sic fuit papa electus per cardinales: et postea idem Johannes, in concilio Constanciensi, fuit depositus a papatu in perpetuos carceres, per concilium illud generale, et postea fractis per eum carceribus, Martinus papa quintus eum fecit cardinalem circa festum nativitatis Sancti Johannis Baptistæ, et in festo nativitatis Domini postea sequente mortuus est, et sepultus Florentiæ, Lumbardus enim fuit nativitate. Romanis enim innata est cupiditas, testibus historiis Græcis et Latinis, ut scribit Sanctus Jeronimus super illo textu Ysaiæ, 'Repleta est terra argento' pro cupiditate pecuniæ. Prosper de Columnis, cardinalis Romæ, et nepos Martini quinti, insurrexit contra papam Eugenium quartum, cum quo fuit cardinalis, et in die Sancti Gregorii intraverunt Romam viij milia armatorum, ad occidendum papam Eugenium, cum principe Salerniæ fratre prædicti Prosperi. Martinus enim quintus dedit plurima bona principi illi et prædicto Prospero, quæ bona pertinebant ecclesiæ, et papa Eugenius repeciit illa bona a principe Salerniæ et a Prospero cardinali, et restiterunt papæ Eugenio iiij°, et papa Eugenius privavit illum Prosperum a cardinalatu, et ab archidiaconatu Cantuariensi, quem ille cardinalis habuit in commendam in Anglia; et tunc, vacante archidiaconatu prædicto, dominus archiepiscopus Henricus Chichele dedit illum archidiaconatum nepoti suo magistro Thomæ Chichele, doctori juris canonici; et tunc, instanciis et metu Romanorum, papa Eugenius iiij^{tus} restituit prædictum Prosperum in cardinalatum, et in omnia beneficia quibus eum antea privaverat; sed prædictus

doctor juris canonici, promotus in tempore vacacionis beneficii, occupavit et retinuit archidiaconatum; et tunc ille Prosper, restituto cardinalatui, implacitavit contra prædictum Thomam in curia Romana, et finaliter sic concordati fuerunt, quod idem cardinalis habuerit 2° beneficia in Anglia in commendam, ad valorem centum librarum, et semper clamavit contra Anglicos in curia Romana, dicens, 'Vos Anglici, restituatis michi beneficium.' Papa Martinus quintus fecit prædictum Prosperum filium sororis suæ cardinalem Romanum qŭando fuit ætatis 18 annorum, et quum nescivit loqui congrue Latinum; et cito postquam fuit positus in cardinalatu, papa Martinus fuit percussus in lingua, quæ in magna quantitate intumuit pendens extra os ejus, et infra quinque dies idem papa Martinus mortuus est; et quando fuit electus in papam alius bonus doctor de Francia electus fuisset, nisi fraus et labor episcopi tunc Wintoniensis, Henrici Beuford, impedivisset.

[p. 169.] In tempore papæ Urbani sexti, successoris Gregorii xj^{mi}, incepit scisma in ecclesia Romana. In tempore enim papæ Urbani vj^{ti}, cardinales Romani, non volentes reformari per papam Romanum Urbanum vj^{tum}, recesserunt a papa Urbano vj^{o}. Anno enim Domini nostri Jesu Xti 1378, domino papa Gregorio xj mortuo in urbe Roma, circa medium Quadragesimæ, Romanisque petentibus ut cardinales congregati pro eleccione novi Romani pontificis Romanum eligerent vel Italicum, cardinales eligerunt dominum Bartholomeum tunc archiepiscopum Barensem in apostolicum. Eligerunt, et Urbanum sextum nominaverunt, et in die Paschæ coronaverunt; sed cardinales successive de Roma exeuntes, ipsum Urbanum sextum esse summum præsulem negaverunt, et eo citato, ut jus suum, si quod haberet, defenderet, pronunciaverunt ipsum non esse Jesu Xti in terris vicarium; ettum elegerunt in papam Robertum Gebenensem, tunc eciam cardinalem, in apostolicum, quem Clementem vij^{m} appellaverunt, et cum eo in Avinionem secesserunt. Bonæ igitur memoriæ Karolus, in Romano

imperio quartus, et in Bohemorum regno hujus nominis primus, rex insuper Anglorum, Ungariorum, et Polonorum, cum multis aliarum terrarum dominis, Urbanum sextum eis in papam præsentatum receperunt in talem, nequaquam recedere volentes ab eo. Karolus autem rex Francorum, rex Castellæ, et Arragoniæ, ab Urbano vj^{to} decedentes, Robertum vel Clementem vij^{m} in apostolicum susceperunt, sicque factum est cisma, quod duravit ultra triginta novem annos, scilicet, a vigilia beati Laurentii 1378, ad diem Sancti Martini episcopi, in anno Domini 1417, in quo die fuit electus in papam dominus Odo de Columnis, et vocatus est papa Martinus quintus, in concilio Constanciensi electus in papam. Sed jam redeamus ad ordinem paparum, post Urbanum vj^{m} Romæ summum pontificem. Bonifacius ix successit Urbano vj^{o}, qui Bonifacius ix electus est in papam anno Xti 1389, et anno Xti 1391 canonizavit Romæ beatam Birgittam, viduam et principissam Nerisciæ, de regno Sueciæ. Iste Bonifacius 9 mortuus est anno Domini 1404, per tempus aliquod ante festum nativitatis Domini nostri Jesu Xti, cui dominus Innocencius vij^{s} est in apostolicum subrogatus. Innocencio vij^{o} successit Gregorius xij^{s} in una obediencia, scilicet, eorum qui sibi obediebant. In alia obediencia non Romana successit Petrus de Luna, qui vocabatur a sibi obedientibus Benedictus xiij; et tum cardinales Gregorii xij, et eciam alii cardinales antipapæ Benedicti xiij recesserunt ab obediencia utriusque papæ, scilicet, Gregorii xij^{mi}, et antipapæ, qui vocabatur Benedictus xiij; et vocabant isti cardinales utriusque partis, sc. Gregorii xij^{mi} et Benedicti $xiij^{mi}$, concilium Pisanum, quo congregato idem concilium Pisanum deposuit per sententiam concilii Pisani, anno Domini 1409 congregati, Gregorium xij^{um} papam Romanum, et Benidictum $xiij^{um}$ antipapam, id est, contra papam, et elegerunt in papam Petrum de Candia, ordinis fratrum minorum, et vocabant eum Alexandrum quintum, et iste fuit doctor sacræ Theologiæ. Mortuo Alexandro quinto papa quondam Romano, electus fuit in papam Romanum Johannes xxiij, qui in

Bononia Crassa existens, concilium universale totius ecclesiæ ad civitatem Constanciensem Sweniæ, quæ est in provincia Maguntina, de consilio fratrum suorum cardinalium convocavit, quo concilio convocato, et Johanne in illo concilio deposito per concilium, fuit dominus Odo electus in papam, et vocabatur Martinus quintus. Ordo enim paparum Romanorum post Urbanum vj^{m} est iste, Bonifacius ix^{s}, Innocencius vij^{s}, Gregorius xij^{s}, Alexander quintus, Johannes 23, in concilio generali Constanciæ depositus, Martinus quintus, Eugenius iiij^{tus}, Nicholaus quintus, qui fuit doctor sacræ Theologiæ et vocabatur ante papatum Thomas de Sayrasano, de territorio Jannensium, magnus Romæ ædificator, cui successit Calistus 3^{s}, quem Romani vocant Calistum, et Teutonici vocant eum Calixtum. Clemens autem septimus electus male in papam tempore Urbani sexti, et eciam successor ejus, Petrus de Luna, vocatus Benedictus xiij, fuerunt antipapæ, i. e. contrarii vero papæ Romano. Nota pro veritate prædictorem librum De Gestis in generali concilio Constanciensi, et est Oxoniæ, in collegio Dunelmæ, ex dono magistri Roberti Burton, qui fuit præsens in concilio generali Constanciensi.

[p. 171.] Sic revera jam, anno Domini 1447, est bonus papa, et caput cleri, Nicholaus quintus, doctor sacræ Theologiæ, Italicus, et secularis habitu, et diu ecclesia se excusavit de malis propter defectum boni capitis in curia Romana. Si ergo jam non fiat plurium malorum reformatio, putas quando veniet, 'si in viridi ligno' non fiat fructus, 'quomodo in arido fiet?' et illum papam Nicholaum quintum novi mortuum Romæ ex relacione fuisse, sine reformatione ecclesiæ et absque reformatione curiæ Romanæ. Creditur enim pro vero, quod si aliquis papa voluerit delere illa, ex quibus sequitur voluptas in curia Romana, et habundancia pecuniarum, tunc papa per sibi assistentes erit private intoxicatus, vel publice interfectus, vel a sede sua ejectus, ut fuit Eugenius papa, prædecessor Nicholai quinti, per principem Salerniæ, et per juvenem cardinalem, tunc Prosperum de

Columnis, nepotulum Martini quinti, qui duo habuerunt plurima bona terrena a Martino quinto post mortem ejus, contra voluntatem Eugenii iiij^{ti}; et Nicholao quinto successit papa Calistus iij^{s}, anno Xti 1455, qui in bulla sua, quam vidi Oxoniæ, scribit nomen suum Calistum, non Kalixtum; et in tempore papæ Nicholai quinti, et tempore regis Angliæ Henrici Sexti, fuit civitas Constantinopolis capta, et in manus Turcorum paganorum tradita, per fraudem et cupiditatem Jannensium, et Xtiani a civitate illa tunc expulsi vel occisi fuerunt, ad numerum quinquaginta millia virorum et mulierum et juvenum, ut vidi scriptum in litera missa a Roma Oxoniæ, et nomen principalis Turci tunc fuit Macometus Bey, i. e. dominus, qui plurima mala intulit Xtianis; et tunc recessit ab obediencia regis Angliæ Andegavis in Andegavia, et Cenomannis in Cenomannia, quas rex Angliæ, Henricus vj^{tus}, sub sigillo suo magno, dedit duci Lotringiæ, patri tunc Margaretæ reginæ Angliæ, et hæredibus ejusdem ducis, et cito post recessit tota Normannia, et tota Francia ab obediencia ejusdem regis Angliæ Henrici vj^{ti}, et etiam Vasconia et Burdegalia. Et idem rex dedit, a se et ab hæredibus suis, quasi omnes terras et castra coronæ Angliæ pertinencia dominis certis in Anglia, et famulis domus regiæ et eorum hæredibus, ita quod ille rex Angliæ vix potuit expendere de terris et tenementis ad valorem quadringenta librarum; et tunc in Anglia occisi fuerunt per Anglicos, dux Suthfollchiæ, Willelmus Pulle, et Jacobus, vocatus dominus de Sey, et dominus Willelmus Haskv, episcopus Sarum, et tunc confessor regis Henrici vj^{ti}, et occisus fuit per proprios suos diocesanos, post missam suam quam celebravit in die sanctorum apostolorum Petri et Pauli, et devote accepit mortem suam, ut dicebatur, et male tractabatur a suis diocesanis propriis, qui eum occidebant, et bona sua multa rapiebant, dicentes, 'Ipse mansit semper cum rege, et fuit ejus confessor, et non mansit in sua diocesi Sarum nobiscum, nec tenuit hospitalitatem, ideo occidetur;' et sic verberabant eum et percuciebant eum, cum instrumentis horribilibus ipsum

vulnerantes graviter, et occidentes post extraxionem ejus extra ecclesiam, postquam in eadem missam celebrasset, et ipsum nudum jacere in campo fecerunt post occisionem suam; et post paucos annos occisus fuit dux Somersetiæ, Edmundus, in villa Sancti Albani, et præter intentum plurimi viri occisi tunc fuerunt ibidem, comes Northehumbriæ et eciam dominus de Clifford, duci Somersetiæ occiso faventes, ut dicebatur.

[p. 172.] Anno Domini Jesu m^mo^ ccc^mo^ septuagesimo octavo, domino papa Gregorio xj^o^ mortuo in Roma circa medium Quadragesimæ, cardinales Romæ elegerunt in papam Urbanum sextum, et in die Pascæ ipsum in papam coronaverunt; et cito postea, cardinales a Roma successive recedentes, prædictum Urbanum sextum esse summum præsulum negaverunt. Et illo Urbano sexto citato, ut jus suum, si quod haberet, defenderet, pronunciaverunt ipsum Urbanum non esse Jesu Xti vicarium in terris, eligentes quendam Robertum Gebenensem, tunc etiam cardinalem, in dominium apostolicum, i. e. in papam, quem et Clementem septimum nominaverunt, et cum eo in Avinionem secesserunt; et Urbanus ille sextus, cum videret se ab antiquis cardinalibus derelictum, creavit novos cardinales, et Romæ obiit anno 1389; cui successit Bonifacius ix^s^: Clementi vij^o^ successit Petrus de Luna, qui seipsum intitulavit xiij^m^ Benedictum, qui postea, per sententiam in concilio Pisano, pro perjurio suo depositus fuit. Mortuo Bonifacio ix^o^, cardinales elegerunt in papam Cosmatium nomine, quem papam Innocentem vij^m^ appellaverunt. Hic quasi biennio existens Romanus pontifex, seu papa, multos in cardinales assumpsit, et in urbe Romana obiit; et post ejus mortem cardinales eligerunt in papam Gregorium duodecimum, tractatusque habitus est per nuncios inter illum Gregorium xij^m^, et prætensum papam, Petrum de Luna, vocatum Benedictum tertium decimum, sed remedium non fuit adeptum, sed cisma continuatum; tunc cardinales, ab obediencia utriusque partis recedentes, per literas suas et nuncios concilium generale et universale convocave-

runt, per literas suas et per nuncios (*sic*), ut ad civitatem Pisanam convenirent anno Domini 1409. Vocaveruntque cardinales ad hoc concilium Pisanum reges et principes, et dominos seculares, ut per seipsos, vel per procuratores suos ad hoc legittime deputatos, ibidem apparerent. Gregorio autem xj° et Benedicto xiij° de præsulato Romano rixantibus, convenerunt ad concilium in civitate Pisanorum, de regnis Romanorum, Almannorum, Francorum, Anglorum, Polonorum, Bohemorum, et nationum diversarum, patriarchæ, archiepiscopi, episcopi, abbates, prælati, sacerdotes, et clerici, doctores, et magistri sacræ Theologiæ, juris utriusque, et multi procuratores alii, qui ibi elegerunt in papam dominum Petrum de Candia, fratrem ordinis minorum, cardinalem presbiterum, tituli xij apostolorum, qui dicebatur Mediolanensis, quem nominabant Alexandrum quintum, qui parvo tempore fuit papa, obiens in civitate Bononiensi anno Domini 1410; et tum electus fuit in papam Johannes 23 Bononiæ, qui convocavit, propter decretum prædicti Pisani concilii, concilium generale ad civitatem Constanciensem, seu Constanciæ, qui ab illo concilio generali congregato fugiens, et iterum captus, et ad illud concilium Constanciæ reductus per regem Romanorum Sigismundum, vocatum imperatorem, depositus est in eodem concilio Constanciensi, prius depositis in concilio Pisano per sentenciam Gregorio xij° et Benedicto xiij°, ante eleccionem papæ domini Alexandri quinti in eodem concilio Pisano, et in isto concilio Constanciensi electus fuit in papam per aliquos cardinales, et per alios deputatos in illo concilio Constanciensi, Martinus quintus, anno Domini 1417, in die Sancti Martini episcopi et confessoris, papa Johanne 23 deposito in eodem concilio Constanciensi anno Xti 1414, post Pentecostalia festa. Hæc omnia patent in libro De Gestis concilii Pisani et Constanciensis, quem vidi Oxoniæ in collegio Dunelmæ, quod habet illum librum ex dono doctoris Roberti Burtun. Successit Martino quinto Eugenius iiij^{tus}, Eugenio iiij° Nicholaus quintus, Nicholao quinto doctori sacræ Theologiæ successit Calixtus iij^{s}, quem

Romani vocant Calistum, Anglici autem plures vocant eum Calixtum. Prædictus papa Alexander quintus fuit bacallarius sacræ Theologiæ Oxoniæ et doctor Theologiæ Parisiis, ut ipse papa, in concilio Pisano, dixit domino Thomæ Spofforth, abbati ecclesiæ beatissimæ Mariæ Eboraci, qui dominus Thomas fuit eciam in concilio Constanciensi. Anno enim 1378, papa Gregorio xj° mortuo Romæ, circa medium Quadragesimæ, cardinales Romani eligerunt in papam Urbanum sextum, in tempore cujus Urbani incepit cisma, finitum diu postea in concilio generali Constanciæ celebrato, quando papa Martinus quintus fuit electus in papam, anno Jesu Xti 1417, et cisma incepit per cardinales a papa Urbano sexto recedentes, et Clementem septimum eligentes, anno Xti Jesu 1378, et sic illud cisma duravit ultra 39 annos. Clemens septimus fuit antipapa in tempore Urbani sexti, et mortuo Urbano sexto, electus est in papam Romanum Bonifacius nonus, anno Xti 1389, et anno 1391, canonizavit beatam Birgittam viduam et principissam Nericiæ, in regno Sueciæ, et anno Domini 1404 obiit Bonifacius ix^s, per tempus aliquod ante festum nativitatis Xti, et ei successit in papatum Romæ Innocentius septimus, qui vixit biennio vel circiter, qui fecit multos cardinales, et ipso Innocentio vij° mortuo, electus fuit in papam Romæ Gregorius xij^s, rege Aragonum Fertinando cum suo regno obediente antipapæ Petro de Luna, Aragono, qui vocabat seipsum Benedictum 13; et tunc cardinales utriusque partis, sc. Gregorii xij papa Romanæ et Benedicti xiij antipapæ, seipsos retraxerunt ab adhæsione et obediencia utriusque papæ, convenientes in castellum Pisanæ diocesis, concilium generale et universale tocius ecclesiæ per literas et nuncios convocaverunt, ut ad festum beatæ Mariæ, semper virginis, Annunciacionis, patriarchæ, episcopi, et clerici, ad celebrandum generale concilium in civitate Pisana, anno Domini 1409 convenirent. Vocaverunt eciam ad illum concilium reges, principes, et dominos seculares, quia de fide, quæ omnes tangit, agendum fuit, et citatus fuit ad illud concilium Pisanum uterque de papatu contendencium, sc. Gregorius

xij, et Petrus de Luna, de Aragonia, qui vocabat se Benedictum xiij, qui citati fuerunt, ut coram sancto comparerent concilio, finem imposituri cismati per viam mutuæ cessionis. Rex Aragonum obediebat Benedicto xiij°, ut papæ suo Romæ electo; Gregorio xij° papæ obediebat Robertus, comes Palatinus, qui dicebat se esse electum in imperatorem Romanum antea, tempore Bonifacii ix, et non Wemzeslaum, regem Bohemorum, qui eciam vel imperator Romanorum esse voluit, et qui se obedire concilio Pisano per nuncios suos promisit aut simulavit. Isti duo, citati ad concilium Pisanum, sc. Gregorius xij et Benedictus xiij°, in concilio illo non comparuerunt, et ibidem in illo concilio Pisano depositi fuerunt a suo papatu, per sentenciam concilii Pisani, cui non obediebant; et tunc, anno Domini 1409, electus fuit in papam, per concilium Pisanum, doctor sacræ Theologiæ Alexander quintus, qui ante papatum suum vocabatur Petrus de Candia, cardinalis, de ordine fratrum minorum, cui obediebant Franci, Angli, Almanni, Italici, et regna plurima. Qui papa Alexander quintus, parvo tempore vivens, post suam eleccionem, anno Domini 1410, inter festa Pascalia et Pentecostalia, in civitate Bononiensi obiit; et electus fuit Bononiæ tunc per cardinales in papam Balthasar Cossa, diaconus cardinalis, et vocatus fuit Johannes 23. Iste Johannes, ab urbe Roma fugatus, ad Bononiam reversus est, et concilium universale tocius ecclesiæ ad civitatem Constanciensem de fratrum suorum concilio convocavit; congregavit autem concilium propter decretum Pisani concilii, in quo ordinatum fuit quod summus pontifex, pro extirpandis hæresibus, sectis, et erroribus, et aliis necessitatibus, certo tempore generale deberet concilium celebrare. Concilium autem Constanciense convocari fecit papa Johannes 23 anno Domini 1414, ut ad festum Omnium Sanctorum ejusdem anni omnes prælati et alii, quorum interest, illuc accederent, et ad finem ipsius, ut est consuetum et solitum remanerent; et sic convenerunt ad concilium Constanciense prælati et doctores et plures alii, Sigismundo bono tunc existente imperatore

Romanorum, et rege Ungariorum, et protectore sancti concilii Constanciensis. Ab ipso concilio Constanciæ celebrato papa Johannes 23 subtus auxilio ducis Austriæ, anno Domini 1415, prope festa Pascalia clam fugam iniit a civitate Constanciæ, et tamen concilium Constanciæ congregatum mansit adunatum, et ipsum Johannem papam prædictus bonus imperator Sigismundus ad concilium Constanciæ reduxit; et ipsum papam Johannem 23 concilium illud sacrum Constanciense deposuit, et amovit a papatu, propter criminales causas, quas contra eum aliqui moverunt et probaverunt; et ipsum Johannem 23 a papatu privatum imperator prædictus dominus Sigismundus, ad jussionem sancti concilii Constanciensis, fecit in quadam alta camera diligentissime custodiri. Eleccionem autem novi papæ, qui Johanni 23° deposito in proximo succederet, concilium illud Constanciense sibi reservans, seriose prohibuit ne quis ipsum Johannem depositum aut Gregorium xij^{m} aut Benedictum 13^{m}, prius in concilio Pisano dampnatos, et a summo præsulatu semotos de novo in papam eligeret, aut ad talis dignitatis apicem nominaret; et ecce eo tempore, quo Johannes 23 depositus detenebatur in custodia, manente concilio in Constancia, Gregorius xij^{s}, qui prius fuit a concilio Pisano per sentenciam depositus, missis nunciis et procuratoribus ad Constanciense concilium, omne jus quod sibi in papatu competere credidit in manibus sancti concilii resignavit, cujus resignacionem concilium venerabile non repudians, ipsum, et cardinales suos, quos ipse in cardinalatum assumpserat, in titulo cardinalatus manere graciose permisit; non autem multo tempore post renunciacionem idem Gregorius xij obiit: concilium autem Constanciense, volens novum papam eligi, elegit certos cardinales, adjunctis eis certis honorabilibus viris de nacione qualibet, eos ad eligendum summum præsulem conclave intrare permisit de nacione qualibet illarum nacionum, in quas ipsum concilium divisum fuit. Electores autem eligerunt in papam dominum Odonem diaconum cardinalem, anno Domini 1417, in die Sancti Martini episcopi et confessoris Dei. Anno

Xti 1414, incepit concilium sacrum Constanciense, in die Omnium Sanctorum, et post tercium ejus jam completum annum fuit eleccio papæ Martini quinti, papa Johanne 23 deposito anno Domini 1415, post Penticostalia festa, et sic sequitur ecclesiam pastore seu papa caruisse per duos annos et ultra; et duravit cisima in ecclesia inceptum per recessum cardinalium a papa Urbano sexto, quem ipsi cardinales eligerunt et coronaverunt, ultra 39 annos, sc. ab anno Domini nostri Jesu Xti 1378, in vigilia Sancti Laurencii martiris usque ad diem Sancti Martini in anno Domini 1417. Hæc omnia patent in libro De gestis concilii Pisani, et De gestis concilii Constanciensis, et est prædictus liber scriptus in papiro in collegio Dunelmiæ in Oxonia; prædictus enim papa Johannes 23 clam fugiebat a concilio Constanciensi, non obstante quod anno quinto sui pontificatus seu Romani papatus fecit bullam suam Constanciæ, omnibus universis Xti fidelibus et cæteris, in qua bulla idem Johannes papa scripsit hæc verba: 'Ego Johannes papa 23, propter quietem tocius populi Xtiani, profiteor sponte et libere dare pacem ipsi ecclesiæ per viam meæ simplicis cessionis papatus, et eam facere et adimplere cum effectu, juxta deliberationem præsentis concilii, sc. Constanciensis.' Hæc prædicta verba sunt in illa bulla papæ Johannis xxiij, quam vidi in prædicto libro De gestis Constanciensis concilii, et patet eciam in illa bulla papæ Johannis 23, quod ipse tunc papa universitatem concilii Constanciensis requirebat et hortabatur in Domino, quod Petrum de Luna, Benedictum xiij^{m}, et Angelum de Coriario, Gregorium xij^{m}, quorum uterque in sua obediencia nuncupabatur, ad dictam pacem invitarent, et eciam eorum obediencias, et eciam quod illud concilium similiter induceret et affectualiter induci procuraret Benedictum xiij^{m} ad viam mutuæ cessionis celerius exequendæ. Gregorius enim xij postea, per suos procuratores Constanciæ, papatum suum ibidem in concilio resignavit. Petrus autem de Luna, habens Aragoniam in sua obediencia, nec per seipsum nec per nuncios comparere Constanciæ voluit; ille enim Benedictus xiij

antipapa, in concilio Pisano, ante concilium Constanciense, per sententiam illius concilii, depositus fuit a papatu suo, quem se habere dixit et prætendebat. Papa Martinus quintus coronatus fuit et consecratus Constanciæ 21 die mensis Novembris, anno Domini 1417, et indicto de consensu concilii novo concilio generali celebrando post quinquennium in civitate Papiensi, solvit concilium illud Constanciæ cum consensu ejusdem generalis concilii; et anno primo Martini obiit Johannes 23, Constanciæ depositus, quamvis per paucos dies ante suam mortem factus fuit per papam Martinum quintum cardinalis. Hæc omnia patent in libro De gestis in concilio Pisano et in concilio Constanciensi Constanciæ celebrato, et est ille liber bonus in tribus voluminibus Oxoniæ Dunelmiæ, Anglice Duram College.

[p. 176.] Anno Domini 1389 electus fuit in papam Bonifacius ix^{s}, et anno Xti 1391 canonizavit Romæ Sanctam Birgittam viduam, ac principissam quondam Nericiæ, in regno Sweciæ, quam Xtus Jesus vocavit sponsam suam, et sic vocari eam fecit, propter magnum amorem et obedienciam ejusdem Birgittæ voluntati Dei, quæ Romæ obiit, sed in regno Sweciæ ejus ossa sancta plura requiescunt in æternum glorificanda in cœlis, ut canale graciæ divinæ. Idem Bonifacius obiit anno Xti 1404, per tempus aliquod ante festum Nativitatis Xti, cui dominus Innocentius 7^{mus} est in apostolicum subrogatus.

Ordo paparum Romanorum ante cisma et in cismate finito Constanciæ in concilio ibidem generali: Urbanus vj^{s}, in cujus tempore incepit cisma per recessum cardinalium a papa, quia non voluerunt reformari de certis malis, Bonifacius ix^{s}, Innocentius vij^{s}, Gregorius xij^{s}, Johannes xxiij^{s}, Martinus quintus, Eugenius quartus, Nicholaus quintus, Calixtus iij^{s}. Petrus de Luna antipapa, qui vocavit se ipsum Benedictum xiij^{m}, fuit in tempore Romani papæ Gregorii xij^{i}, qui Constanciæ papatum resignavit per procuratores suos, quamvis antea ipse et Petrus de Luna depositi erant per sentenciam concilii in concilio generali Pisano.

[p. 177.] **Dispensare vel licenciare.** Novi enim unum qui peciit à quodam cardinali in Anglia ut nominaretur capellanus ejusdem, et sibi concessit ut sic vocaretur, et tum nunquam sic fuit; et sub illa informacione optinuit a papa Eugenio duas ecclesias incompatibiles, et non residere in aliqua earum; et licentia illa utebatur vacans venacionibus et deliciis corporis quasi omni die.

[p. 178.] Et ideo collegiati jam et approprietarii ecclesiarum, qui habent ecclesias eis annexas seu appropriatas, optant jam exhibere jam rusticaliter et insufficienter unum sacerdotem, inscium, viciosum, et ideotam qui nec scit, nec potest, nec vult ea facere quæ necessaria sunt curæ animarum, et qui nec scit, nec potest contra eos proprietarios quærelam facere, nec vicia eorum redarguere, nec contra eos loqui, nec remedium nec augmentacionem victus sui quærere. Novi enim unum magnum in mundo, idiotam ingenio, simpliciter inscium in grammatica et in quacunque scientia vera, promotum per unum regem, et per licenciam papæ Eugenii iiij[ti], in magnum archidiaconatum centum librarum in valore, et etiam in præbendas duodecim simul cum hoc, et per xx annos, ut ego novi, retinuit, et tamen nusquam in aliqua earum præbendarum nec in aliqua præbenda fuit, nec ibi mansit, nec unum denarium eis in elimosina dedit, nec unum denarium recepit, nisi secundum voluntatem virorum secularium, qui ecclesias suas et præbendas in manu sua laicali retinuerunt, et per xx annos, et in archidiaconatu suo unum officialem ordinaverunt ad colligendum pecunias omni anno, et licenciam non visitandi, et ut non esset sacerdos, a papa Eugenio habuit; et laici prædicti ex omnibus beneficiis suis dederunt ei tantum annuatim quantum eis placuit, vix x. li.; et omni die fere novi eum ebrium fuisse; et quia fuit stultus cum quodam rege, et ludens cum eo in juventute, ideo sic promotus fuit per instancias laicorum, qui vocabant seipsos creditores ipsius, et tamen per annum integrum non visitabant eum. Heu! heu! quot mala sequuntur dato uno malo, teste Deo! Ego doctor novi ista esse vera et etiam pessima.

[p. 182.] **Dispensacio.** Heu! heu! jam crassatus et impinguatus pinguedine ecclesiarum, sponte se ingerit, et effrons a papa petit sibi provideri in quamcunque dignitatem ecclesiæ et officium sine eleccione quacunque, ut novi jam in diebus meis, et episcopus curialis et cæsariensis per pecunias optinuit, ut septingentas libras de diversis ecclesiis annuatim recipiat, de ecclesiis in manu sua retentis citra episcopatum mille marcarum, quem præter illam summam acquisivit, quamvis in curia temporali mansit semper occupatus mundanis actibus, sed Deo gracias quia in regno impeditus fuit ab execucione istius pestiferæ concessionis, quæ jam 'commenda' vocatur; sed talis commenda non est in tutelam bonorum actuum et in multiplicacionem, sed in plurium bonorum destruccionem, et plurium malorum multiplicacionem, ut patet pluribus evidenciis et experimentis.

[p. 183.] Reges jam et episcopi et domini adquisiverunt dispensaciones et licencias a Romanis pontificibus, ut cum illis in curiis suis et officiis resideant, qui in ecclesiis suis et in ecclesiis cathedralibus et collegiis residere tenentur. Unum jam notum est, quod boni viri qui obligaverunt gardianos et decanos et sacerdotes alios remanere et residere in locis per eos fundatis defraudantur, et eorum intentio non servatur, quia fundati per eos alibi resident, et loca fundata et bona ibi fienda pereunt. Remedium enim contra ista mala esset, si fundatores vel eorum successores firmiter ordinarent sub magnis pœnis, quod si aliquis per eum fundatus, in certo loco acceptaret aliquam licenciam contra voluntatem et statutum fundatoris, ipso facto sit privatus ab omni jure ad aliquod bonum pertinens fundatis in tali ecclesia vel tali loco, et eciam ordinetur per fundatorem vel per parliamentum regni, ut hæres seu successor fundatoris ipsum expellat si statutis fundatoris obedire noluerit, et careat talis omni suffragio appellacionis, ut nichil sibi valeat appellacio, si contra voluntatem fundatoris faciat. Heu! heu! quod reges et domini et episcopi non considerant quomodo clericos suos et capellanos et officiarios de pro-

priis bonis ipsorum dominorum exhiberent, et tales secum retinerent, qui ab omni alia cura exuti essent; ideo enim Dominus separavit filios Levi ab actibus communibus, ut actibus vacarent quos præcepit eis Deus et apostoli Actuum 6.

[p. 185.] Novi enim Eugenium iiij^tum papam concessisse licenciam cuidam episcopo in Anglia, quod ipse vocaret, ut essent capellani sui, quoscunque sacerdotes curatos voluit sub certo numero, ita quod excusati essent ab omni residencia in sua rectoria, et eciam vicaria; et inter cæteros vocavit unum qui fuit rector et vicarius, ut esset capellanus suus, et admisso in officium capellani episcopi, idem rector nec stetit in domo episcopi nec in cura sua, sed venacionibus et deliciis carnalibus per annos vacavit, dicens se per illam licenciam papæ hæc sibi licere; et magna peccata secuntur ex hoc, quod episcopi et reges habent licenciam retinendi secum in curiis suis et officiis quoscunque voluerint sub certo numero, qui dicunt se excusari ab omni residencia in eorum curis et officiis per talem licenciam concessam, ut dicunt, regibus, et episcopis, et dominis suis mundanis, et tamen aliqui eorum tenentur ex juramento residere, quasi continue, in suis ecclesiis collegiatis vel cathedralibus, et aliqui eorum ex voluntate fundatorum suorum tenentur residere et plurima facere, et tamen ex licencia papæ et præsidencium tales ordinaciones frustrantur et remediantur. Bonum enim esset contra talia mala remedium quod fundatores ordinarent, quod si aliquis in tali loco fundatus receperit licenciam in contrarium ordinacionis fundatoris, quod ipso facto sit expulsus a jure illius loci et expellendus a loco sine mora et ab omni exhibicione in eodem loco. Dominus enim dixit filiis Zebidei, etc.

[p. 186.] Vide hanc materiam bene pertractatam in libro Sancti Bernardi De dispensacione et præcepto, et vide in libro De naturis apostolorum, ubi patet quod Nicolaus papa dixit, 'Securus est cum quo papa dispensat, ut non vexetur in jure fori, sed non est ex hoc securus in jure poli, coram Deo, qui non fallit nec fallitur, sicut ego

papa falli possum.' Hæc ibi Nicholaus papa Romanus. Quilibet enim dispensans, et quilibet ecclesiam conferens tali modo dispensaret et concederet, quod major laus Deo et major salus plurium animarum ex actu suo sequerentur. Væ! væ! miseriæ mei temporis, quot animæ jam pereunt, quæ in cœlis semper Deum laudassent, si bonum prælatum et rectorem habuissent; sic enim Dominus dixit, Ezechielis iij°, de malo prælato, 'ipse,' sc. subditus, 'morietur in peccato suo, quia non annunciasti ei.' Sic Dominus dicet malo patrono et episcopo qui male admittit aliquem in ecclesiam seu officium: 'Ille populus morietur in peccato suo, quia non dedisti ei bonum et meliorem rectorem, potuit enim vivere et salvari, si tu debitum tuum fecisses in dando ei talem rectorem, quem novisti vel credidisti posse, scire, et velle perficere quæ Deus jussit, et si tu, patrone vel episcope, sic fecisses hic in collacione vel admissione, frater meus Xtianus, tuus subditus, sic mortuus non fuisset nec ita dampnatus;' sed, heu! quia jam conferuntur ecclesiæ et officia ut homines ditentur et in mundanis honorentur pocius quam ut intencio et ordinacio Dei perficiantur; opera enim in uno homine ostendunt ipsum esse habiliorem ad opus Dei fiendum quam alius; ideo enim Dominus dixit Moisi: 'Elige quos tu nosti, qui timent Deum, et qui tales et tales sunt, opera enim quæ fecerunt testimonium de eis perhibent et ostendunt.'

[p. 188.] **Papa.** Ut patet in libro attestacionum seu deposicionum, quas Imperator Karolus Quartus et reges et cardinales et doctores sacræ paginæ, seu Theologiæ, et duo confessores beatæ Birgittæ, magister Petrus Olani et dominus Olani, et alii multi deponebant et jurabant Romæ coram papa Gregorio xj° et papa Urbano sexto de sancta vita, et miraculis, magnis et pluribus, beatæ Birgittæ, matronæ et viduæ prædictæ, et illum librum attestacionum prædictarum ego, Thomas Gascoigne, Eboracensis diocesis in Anglia natus, feci scribi Oxoniæ in vitulinis Oxoniæ, secundum copiam illius libri attestacionum pro canonizacione beatæ Birgittæ, quem dominus Symon Wynter, devotus

religiosus in monasterio Syon in Anglia, fecit scribi Romæ, secundum Registrum papæ Martini quinti, quando idem Symon Wynter, ordinis Sancti Salvatoris, fuit Romæ cum domino Thoma Fyschborne, primo confessore generali in monasterio Syon, quem vulgus vocat Scheene; qui confessor, ante introitum in religionem, fuit magnus armiger et denotus in boria Angliæ, natus ultra Eboracum, quem ego Gascoigne vidi, et valde Deo devotum reputavi: et librum prædictum attestacionum dedi monasterio de Osney juxta Oxoniam; et hæc Sancta Birgitta, matrona de regno Seciæ et perpetua Xti Jesu sponsa, fuit Romæ canonizata per papam Bonifacium ix^m, m ccc nonagesimo primo, 7° die mensis Octobris.

[p. 190.] Quem textum bene declarat dominus Lincoln in epistola sua responsiva ad epistolam papæ Innocencii missam a papa ad archidiaconum Cantuariensem, et ad Innocencium collectorem papæ in Anglia pro provisione canonicatus juveni, Fredericus nomine, in ecclesia Lincolniensi, cui provisioni fiendæ per bullam papæ dominus Lincolniensis non voluit consentire, sed contradixit, dicens in prædicta epistola sua responsiva quod providens vel eligens talem indignum in ecclesia est pejor sodomita corporali, quia talis ordinator vel providens talem indignum impedit et destruit generacionem spiritualem virtutum in animabus hominum, quas bonus curatus verbis sanctis, et exemplis, et subsidiis causaret in subditis suis; et illa epistola responsiva domini Lincolniæ doctoris Roberti Grosseteste est Oxoniæ in collegio Exoniæ in libraria, et in monasterio ordinis Sancti Salvatoris in Syon in Anglia.

[Ib.] Audivi enim dictum quod papa Romanus, statim post ordinacionem suam in papam, reservat sibi ipsi omnes dignitates electivas, ita quod eleccio nulla facta in aliqua ecclesia cathedrali valet, sed solus ipse habetur pro electo in episcopum, quem papa Romanus providet alicui ecclesiæ in regno; sic tum quod rex regni consenciat tali provisioni factæ per papam Romanum, quia nisi rex regni con-

senciat et scripto suo concedat talem hominem provisum per papam provisionem papæ accipere, et illam exequi. Aliter provisus per papam in episcopatum vel in decanatum aliquem in regno incurrit in pœnas statuti Angliæ editi contra provisionem papæ Romani, et si provisus per papam habeat consensum regni, et regis licenciam scriptam, et sigillatam, ad acceptandum et ad accipiendum provisionem et collacionem papæ Romani alicujus episcopatus vel dignitatis vel beneficii ecclesiastici, tunc sic provisus per papam non incurrit in statutum provisionis; et nota quod, in tempore papæ Johannis 22[i], papa non providet nec confert episcopatum alicui in Anglia, nisi ille provisus solvat 500 vel mille marcas papæ et curiæ Romanæ, et pecuniæ sic Romæ solutæ antequam aliquis sit ordinatus in episcopum in Anglia vocantur Romæ annata, quas pecunias nos Anglici vocamus primos fructus. Domine Deus, respice de cœlo et vide et visita ecclesiam vineæ tuæ, qui singularis ferus cupiditatis et avariciæ depastus est, i.e. vastavit, eam!

Romæ, in tempore Eugenii papæ quarti, prædicavit sanctæ memoriæ prædicator frater Thomas de Calva, juxta Neapolim, Carmelita frater in Neapoli, et Romæ prædicavit contra abusus curiæ papæ et cardinalium, et contra Symoniam eorum, et quomodo pœnitentes Romæ et flentes pro suis peccatis non absolvuntur ibi, nisi solvant ibi pecunias, et quomodo argentum et aurum clamant Romæ, 'Sine me nichil potestis facere!' et duo cardinales Romæ, hæc audientes, dixerunt eum hæreticum esse, eo quod hæc vera prædicavit contra vicia curiæ illius, et fecerunt eum comburi in cineres, et cineres ejus statim faciunt miracula, et custodiuntur in Ara Cœli; et prædicti duo cardinales mala morte, ut apparuit, eodem anno, quo ille combustus fuit, obierunt; quorum unus, Johannes cardinalis, tituli Sancti Martini in Montibus, eodem anno inventus est in suo lecto subito mortuus, et alter, cardinalis Gregorius, tituli Sancti Eusebii, incidit in amenciam et currebat demens in viis Romæ, et ostendebat anum suum et virilia

sua viris et mulieribus puplice, in placeis, clamans sæpissime, 'O magister Thoma, O Thoma, Thoma!' et inclusus in domo violenter per alios, eodem anno mortis prædicti sancti fratris mortuus fuit. Hæc dixit michi, Thomæ Gascoigne, homo nobilis de regno Ungariæ, dominus Erasmus Fullar sacerdos, qui hæc in Roma vidit et novit in tempore papæ Eugenii 4ⁱ, qui Erasmus fuit in bello perpetrato per Deum Jesum Xtum, anno Xti 1456, in festo Sanctæ Mariæ Magdalenæ, in cujus festo occisa fuerunt de Turcis paganis in exercitu imperatoris Turcorum, Waldewach nomine, centum millia Turcorum et quinquaginta millia; in quo bello facto in regno Ungariæ fuerunt bellatores tantum Ungari non aliæ gentes, exceptis paucis Teutonicis habitantibus in Ungaria, in provincia seu patria quæ vocatur 7 Castrorum; et prædictus frater Thomas de Calva, de conventu Neapolitano in regno Neapolis, fecit, cooperante Deo, tam magna et tam plurima miracula, quod papa Nicholaus quintus voluit eum canonizare et in catalogo sanctorum nomen ejus scribere, i. e. in libro de nominibus sanctorum propria manu ipsius papæ nomen ejus ascribere, sed cardinales restiterunt papæ valde male, ut credo, dicentes illi: 'Si sit sanctus, sit sanctus; nos non volumus eum canonizari, quia duo cardinales eum comburi fecerunt in Roma;' et tum nulla mala nec falsa affirmavit, sed eorum in Roma prædicando recitavit et reprehendit et mala esse eorum opera et pœnalium illativa esse ostendit.

Papa Nicholaus quintus excommunicavit regnum Ungariæ, quia pecunias, collectas ibi per indulgencias concessas a papa, regnum illud custodiunt sub 3^{bus} clavibus, ad pugnandum contra Turcos; quo audito, regnum Ungariæ appellavit a pedibus papæ Nicholai ad pedes Xti, pro cujus . . . . pecunias illas servaverant; et Nicholaus papa, timens quod Ungari rebellarent, misit eis legatum episcopum Pisanum, ad dandum potestatem sacerdotibus in Ungaria ad absolvendum omnes in illo regno ab illa sentencia excommunicacionis, ut dixit michi prædictus Erasmus Fullar, sacerdos de Hungaria, anno Xti 1456.

[p. 192.] O papa! vide, vide, vide, ne dispensacio tua, i. e. licencia, a te data, et ejus usus seu abusus, sit offensio vel scandalum, i. e. occasio, motiva ad malum pluribus hominibus per usum seu abusum illius personæ cui præbes dispensacionem seu licenciam ad faciendum aliquid vel ad non faciendum aliquid, quod factum recte forte placet Deo, et hoc quod Deus amat fieri per tuam licenciam. O papa Romæ! destruitur et retrahitur, sicut jam manifeste patet in Anglia, et in pluribus licenciis concessis a papa, quod homines sunt exempti ab observacione regularis professionis et observanciæ, et a correccione sui episcopi. Item, licencia papæ de pluralitate habenda, seu ad duo incompatibilia beneficia. Item, licencia pessima de ecclesiis parochialibus, quæ essent rectæ per bonos rectores, quæ ita appropriantur monasteriis et ecclesiis collegiatis seu cathedralibus, quod approprietarii ecclesiarum non tenentur per licenciam papæ nec exhibere parochianis ecclesiæ, nec bonum vicarium perpetuum, nec curatum perpetuum, sed unum sacerdotem talem qualem mobilem et omni die a beneficio per mandatum approprietarii, cui ecclesia appropriatur; et sic nec bona opera fiunt in parochia nec in parochianis, quæ fierent per bonum rectorem residentem, nec illa bona quæ fierent pro illis parochianis, nec illa bona quæ non solum fierent pro parochianis, sed eciam ex debito fierent coram illis parochianis et illis parochianis, sicut est bonum exemplum curati cum eis residentis, et devota oracio cum eis et coram eis facta, in exemplum ipsorum parochianorum, ut ipsi sic devote orarent. Item, elemosina et prædicacio verborum et factorum Jesu Xti fienda inter parochianos deficiunt, et pereunt per appropriacionem ecclesiarum, et per non residentes curatos et pluralitatem ecclesiarum, et officiorum, et dignitatum, quæ vocatur Romæ capacitas ad incompatibilia, vel ad duo beneficia vel ad tria, etc. Et plura mala per hæc peccata exhorta fuisse cognovi in tempore ix paparum, quorum tempore ego vixi, i. e. sub Bonefacio ix°, Innocencio 7°, Gregorio xij°, Alexandro 5°,

bachilario sacræ Theologiæ Oxoniæ in Anglia, et sub Johanne xxiij°, deposito a papatu in concilio et per concilium generale Constancience, et sub Martino 5°, et Eugenio 4°, et sub Nicholao 5°, doctore sacræ Theologiæ, in habitu seculari, in Universitate Viennæ, in ducatu Austriæ, et sub Calixto 3°, qui hoc anno Xti vivit, sc. anno Domini Xti 1457°.

[p. 234.] **Paulus Apostolus Virgo.** Hæc dominus Lincolniensis in fine communis glosæ super Epistolas Sancti Pauli; et ego Thomas Gascoigne, tunc Cancellarius Oxoniensis, vidi hæc scripta manu sua propria in libro suo, quæ continebat communem glosam super Epistolam Sancti Pauli, et scribitur in penultimo folio illius libri inter fratres minores Oxoniæ, et liber registratur Epistolæ Pauli a.

[p. 296.] **Peccatum.** Novi enim unum fatuum naturalem, qui fuit sacerdos et archidiaconus, et habuit xij præbendas simul, et nunquam tenuit domicilium, et unus armiger omnia ea recepit, et illis bonis per plures annos receptis dixit præfato stulto, 'Nichil vobis debeo, quod omnia bona vestra fuerunt in custodia episcopi Sarum Willelmi Aske.' Et ipse occisus est crudeliter anno Domini m° cccc° l°, et omnia bona sua spoliata et divisa inter plures insurrectores, qui in sua diocesi eum occiderunt; et sic fatuus prædictus, ut dicitur, milia perdidit de pecunia. Et episcopus Cistrensis, Adam Molens, qui occisus fuit per nautas et Anglicos, qui navigassent in Francia, optinuit pluralitatem a papa Eugenio quinto prædicto fatuo naturali, qui tunc non fuit sacerdos, et licencia illa fuit, ut præfatus fatuus haberet duas simul dignitates in ecclesia citra episcopatum, et tum fuit fere quotidie ebrius; et iste fatuus et tales promoti et alia mala sequencia ex appropriatione ecclesiarum parochialium, et per non residenciam episcoporum et rectorum fere destruxerunt bonum regimen in ecclesia Anglicana, et anno Domini m° cccc° l°, homines qui vocabantur insurrectores occiderunt duos episcopos in Anglia, qui in curia regis quasi continue residebant, et non in curis suis, sc. Adam Cistrensem,

et Willelmum Aske Sarisburiensem, et alii episcopi 4or qui eciam in officio regis et reginæ continue steterunt, tunc a curia in suas dioceses fugerunt, timentes occidi, eo quod fama fuit quod communitas eos tunc voluit occidere; et ista prædicta novi esse vera, ego, doctor Thomas, qui hæc manu mea propria scripsi; et iste prædictus episcopus Sarum, Willelmus Aske, fuit confessor regis Henrici vjti per plures annos, et in curia regis quasi continue mansit, quousque fugiebat metu mortis suæ; et nunquam ante illum episcopum fuit aliquis episcopus confessor regis Angliæ diurnus, nec continue in curia regis residens, sed in sua cura vel alibi.

[p. 302.] Iste Sanctus Beda, monachus ordinis Sancti Benedicti, monachus nigri ordinis in monasterio Sancti Pauli apostoli, ubi mansit Sanctus Beda, et per 4or millearia distant monasterium Sancti Petri apostoli in Wermouth et monasterium Sancti Pauli apostoli in Jaru: et quia ista duo monasteria unum et eundem abbatem habuerunt ideo Sanctus Beda, in libris suis duobus De gestis trium abbatum, monasterium suum ubi mansit vocat aliquando Jaru seu Girun, et aliquando Wermowth, quia ista duo monasteria, unum abbatem, Benedictum Biscop, habencia, unum monasterium censebantur et vocabantur; et ista duo monasteria in boria Angliæ stant, inter aquam Tyne et aquam Weer, et villa, juxta quam aqua Tyne currit in mare orientale, vocatur Tynemowth, i. e. os Tyne aquæ, ubi illa aqua penetrat in mare, et villa, juxta quam currit aqua Weer in mare orientale, vocatur Wermowth, i. e. os Weer aquæ, ubi Weere intrat in mare. Hæc patent in Cronica Dunelmensis ecclesiæ, et insulæ Farn et insulæ Lindifarnensis, ubi fuit sedes episcopalis Sancti Cuthberti episcopi, qui ante et post episcopatum Lindifarnensem anachorita fuit.

[p. 304.] Sic sunt fere omnia notabilia quæ scripsi in scripto meo de veritatibus collectis per modum tabulæ. Ego, Thomas Gascoigne, postquam rexi Oxoniæ in Theologia xij annos, et postquam resignavi sponte rectoriam meam de Dighton, quam vineam habui,

doctori Thomæ Eborall, ea intencione, ut ipse, apcior me ad circumeundum et prædicandum in diocesi Eboracensi, ibidem maneret et prædicaret, (quem doctorem postea retraxit ab illa cura per eum recepta doctor Ricardus Prate, episcopus Cicestriensis,) multiplex impedimentum fuit quod non circumivi prædicando verbum vitæ, ut volui. O Domine Jesu! parce in remittendo quæ merui, et omnis spiritus laudet Deum semper pro donis suis, cujus gracia nec optavi nec recepi licenciam a papa ad habendum pluralitatem nec duo incompatibilia. Ad quod enim acceptarem pluralitatem, videns sanctos et aptos sacerdotes transire sine singularitate, i. e. aliquo beneficio ecclesiastico? Vidi in diebus meis valde dolendum inter plurima mala, quæ in Anglia inundabant et multiplicabantur in tempore Henrici 5^{i} et 6^{i}, quod diversi domini et patroni constituebant rectores et vicarios et prælatos in hoc, quod potuerunt sibi ipsis dominis, ut per eos sacerdotes, in beneficiis seu in curis positi, ipsis dominis servirent, et attenderent actibus qui placent illis dominis, qui eos promovebant pocius quam actibus quos Dominus Deus imperat fieri ad salutem animarum per sacerdotes, et per promotos, et officiarios in ecclesia. Væ illis patronis et electoribus, qui ponunt mundanam festucam in officio seu in ecclesiæ cura, qui potuerunt ordinare et erigere in ecclesia vivas columpnas!

[p. 306.] Doctor Robertus Grosseteste vocatur dominus Lincolniensis, quia fuit quondam episcopus Lincolniensis, ut antequam fuit episcopus fuit archidiaconus Lacestriæ, et doctor sacræ Theologiæ Oxoniæ; ut ego vidi scriptum manu sua propria ipsius domini Lincolniensis, qui fuit pauper origine seu ex nativitate sua, sed pro sancta vita ejus, et magna ejus scientia, fuit factus, instancia regis Angliæ, episcopus Lincolniæ, sed completi sunt dies, sc. illi, quia non est nunc sicut tunc fuit; nam Henrico vj^{to} dicente et quærente a me apud Castrum suum Wyndsore: 'Quare,' inquit rex, 'non estis vos, doctor Gascoyne, episcopus?' et ego respondi sibi, 'Domine, dico vobis,

si cuperem esse pecuniarum multarum fidelem adquisitorem, mallem esse bonus sutor quam scientissimus doctor in Anglia, existente statu in Anglia ut est modernis temporibus;' testis enim est michi Deus, quod mallem bonos et plures prædicatores verbi Dei in populo Angliæ multiplicari quam omnes divicias temporales quæ sunt cum ditissimo homine Angliæ. Deo semper gracias, amen, et omnis spiritus laudet Deum semper. Amen.

Et Psalterium, expositum et scriptum manu sua propria, registratur Oxoniæ (sc. Grosseteste), inter fratres minores, Episcopus Lincoln. d: et Psalterium suum, quod non scribitur manu propria domini Lincolniensis, registratur ibidem, Episcopus Lincoln. ff.

[p. 352.] **Pœnitencia.** In omnibus hiis quæ dicuntur contra Symoniam non convertuntur Symoniaci. In omnibus hiis quæ dicuntur, non residentes in eorum curis et contra appropriationes ecclesiarum et indignam collacionem gradus scholastici in universitatibus studiorum (*sic*), non sunt conversi in toto corde suo, set in mendacio. O Symon! Symon! i.e. Symonia, habeo tibi aliquid dicere, sed forte dicis michi, 'Magister, dic, i.e. dicas quæ vis, quia, non curans de verbis, faciam ut feci.' O Symonia! quot sancta ingenia sanctorum doctorum desudando laboraverunt scribendo contra te, et contra literas et preces dominorum, qui magis promovent hominem et conferunt ei dignitates et officia pro litteris hominum quam pro litteris Dei in scriptura sacra, et præceptis Dei, qui præcipit illum eligi qui est assumptus ab hominibus, i.e. separatus ab ignorancia et mundanis occupacionibus; sed in omnibus hiis non sunt conversi ad Deum in toto corde suo, sed in mendacio simoniaci, et tales ecclesiarum et officiorum collatores; litteræ enim et verba dominorum pro aliquo promovendo vel ordinando in ecclesia essent pocius vere testificancia scienciam, vitam, et merita personæ, et voluntatem fervidam regendi tales homines in tali parochia seu diocesi quam supplicatoria vel minatoria. Vita enim et sciencia et salus animarum moverent homines ad conferendum eccle-

siam, et officium, et regimen aliorum; causæ enim collacionis modernæ officiorum et ecclesiarum non sunt veræ causæ coram Deo sed læsuræ plurimarum animarum. Stultus enim est qui ex sua mala voluntate facit non causam esse ut causam, faciendo et concedendo collacionem ecclesiæ vel officii pro persona pro qua non sic faceres, et pro intencione et fine pro quo non faceret talis.

[p. 361.] Est duplex Vienna, una est in Francia, de qua fuit prædictus doctor [Hugo de Vienna], illa est Vienna quæ est civitas et universitas in ducatu Austriæ, cujus dux est rex Ungariæ, nunc, isto anno Domini 1456, dominus Ladislaus, cujus gubernator, dominus Johannes Hungat, comes Vicesterciensis, anno Domini 1456, cum xl milibus Xtianorum, occidit in Ungaria centum milia et quinquaginta milia paganorum Turcorum, sc. totum eorum exercitum, exceptis x milibus Turcorum, qui in aqua Danubii cum eorum principe Machometo fugerunt.

[p. 380.] **Pileus habitus doctoris.** Regnavit Gothis Diceneus, rex eorum et pontifex, quo tempore Romanorum Silla potitus est principatum, quem Dicineum suscipiens Burnista, dedit ei pæne regiam potestatem, qui Dicineus omnem pæne philosophiam eos instruxit, elegitque ex ipsis philosophis nobilissimos prudentioresque viros, quos ad theologiam instruens, fecit sacerdotes, nomen eis pilleatorum contradens, eo quod opertis capitibus tiaras, quas pilleos alio nomine nominamus, habebant; reliquam vero gentem capillatos dicere jussit; hoc Jordanus episcopus, Ravennatis civitatis, de origine et vocabulis gentis Gothorum edita ad Castalum, unde patet quod Gothia et Dacia et Gepidia unum et idem regnum est.

Oxoniæ enim ex antiquo statuto, et ex antiqua consuetudine, non habent uti pilleis rotundis, nisi doctores sacræ Theologiæ et Juris Canonici doctores, et in Medicinis et Legibus doctores; et sic universitas studii Oxoniensis a principio fundacionis suæ per regem Alfredum, qui eciam Aluredus vocatur, facere consuevit, et sic usitatum fuit Oxoniæ anno Xti m° cccc° 56°, in tempore meo.

[p. 397.] **Prædicare.** Ego enim, Thomas Gascoigne, vocatus doctor Theologiæ, et Cancellarius Studii Universitatis Oxoniæ, Eboracensis diocesis, submitto me, et meipsum offero misericordiæ Dei, eo quod non prædicavi publice quociens, ut credo, sic prædicassem. Anno enim Domini Jesu incarnati m^{mo} cccc^{mo} xxvij^{o}, fui ordinatus in sacerdotem in ecclesia præbendali Thame, Lincolniensis diocesis, auctoritate doctoris Theologiæ magistri Ricardi Flemmyng, tunc episcopi Lincolniensis, nati in diocesi Eborum; et ab illo anno Domini m^{mo} cccc^{mo} xxvij^{o} credo, quod ego miser Thomas Gascoigne prædicavi quolibet anno in diversis locis post annum prædictum usque ad annum istum in quo hæc scripsi, i. e. quolibet anno ab anno Xti incarnati xxvij^{o} usque ad annum Xti m^{m} cccc^{m} quinquagesimum vj^{m}, in quo hæc scripsi. Sed miserere, miserere, miserere mei, piissime Jesu! quia nec prædicavi tociens ut debui, nec in tot locis quibus debui, nec ut debui. O Deus, omnipotens et misericor! tu scis causas meas, pro quibus in istis xxviij annis prædicavi verba tua, si non tociens ut debui, sicut ego credo. Domine Jesu! miserere mei miseri tui.

[p. 409.] **Prædicator.** Moderni enim, inimici veritatis, audientes sermonem veritatis dicunt: 'Iste sermo non habet formam, set locutus est, et nescivit quæ dixit, nec intellexit quæ dixit, nec habet formatum ingenium;' quia prædicavit ea quæ sunt contra eorum appetitum et contra eorum mores; forma enim debita in sermone est, quando res declaratur et manifestatur, et ordo dicendi sequitur ordinem essendi in rebus. Christus enim, in evangelio suo per eum prædicato, talem ordinem servavit in dicendo, quod de materiis dissimilibus et diversis et disparibus infra breve spacium temporis loquebatur, ut patet in diversis locis evangelii. Forma enim curiosa dicendi impedit noticiam materiæ cognoscendæ, et non manifestat veritatem, sicut manifestaretur in planis verbis bonis, et modis dicendi quando verum docetur, et 'intelligunt audientes,' inquit Augustinus, De doctrina Xtiana; qui enim expressiori modo et planiori stilo non loquuntur populo, 'nichil

paciuntur super contricione Josephi,' Amos, sexto capitulo, i.e. non compaciuntur, nec dolent pro illis qui pereunt per defectum noticiæ, et boni rectores et boni exempli tales dicunt, 'dies priores meliores erant quam isti.' Stultum est enim referre ad tempora cum in nostra sit potestate vel bonum diem facere nobis vel malum, ut inquit Sanctus Jeronimus super Amos prophetam, ca°. vj°.

[p. 411.] Aliqui autem prædicabant sancti viri, nullum thema vel textum in principio sermonis assumendo, sed certas materias proponendo, dicentes, 'Hodie, invocando Spiritus Sancti graciam, ad aperiendum cor meum, et intellectum auditorum, intendo loqui vobis de resurrectione a peccato, et de resurrectione Domini nostri Jesu Xti corporali, et de resurrectione hominum finali, et de pertinentibus ad istas materias.'

[p. 425.] Hoc enim notum est in regno Angliæ, quod ille archiepiscopus, qui causa fuit quod pauci vel nulli prædicarent sine licencia diocesani vel metropolitani, pro qua jam magnæ preces fiunt, et eciam pecuniæ dantur episcopo, obtrusus fuit diu ante mortem suam in gutture per os descendens in guttur suum, quod nunquam potuit deglutire, nec expellere, et sic ex illo moriebatur; et fuit bacallarius Arcium tunc in gradu scolastico Oxoniæ, non sciens nec recte discernens quæ ex illa constitutione edita in tempore ipsius Arundel sequerentur. Jam enim episcopi nec prædicacione vacant, nec prædicatores in sua exhibent diocesi, nec tales illuc mittunt, set vix, pro magnis precibus mundanorum et pro pecuniis, licenciam prædicandi ad tempus eis placitum paucis concedunt in suis litteris scriptis, et sic verbum Dei jam est alligatum, et ideo plurima mala inundant, et, ut verisimile est, indies inundabunt. Dignum est ut indigni excludantur a prædicatione, set quæ ratio est ut quasi omnes suspendantur, nec prædicent verbum Dei nisi habeant licenciam episcopi diocesani magnis precibus et pecuniis optentam? Ita enim soliciti essent episcopi ad mittendum bonos et aptos, sicut intendebant solicite excludere malos a vinea Domini, ne forte vites mutentur in labruscas.

[p. 432.] Consimiliter Thomas Arundel, archiepiscopus Cantuariensis qui fuit in gradu scolastico Oxoniæ bacallarius Arcium liberalium, in concilio provinciale Cantuariensis provinciæ, cum consensu ejusdem convocacionis provincialis Cantuariensis, fecit constitucionem provincialem, quod nullus, non privilegiatus, nec a jure communi admissus, prædicaret in aliquo loco Cantuariensis provinciæ, nisi haberet licenciam sui episcopi diocesani scriptam et sigillo episcopi signatam; et postea verbo Dei sic ligato, et pluribus malis ex hoc in Anglia multiplicatis, episcopi quasi nullos ad prædicandum miserunt, et si quos per instanciam secularium virorum admiserunt, magnas pecunias pro suis litteris et sigillo exigerunt, et receperunt, et dabant paucis licenciam, et tantum cum hac clausula, 'quamdiu nobis placuerit;' et sic verbo Dei tunc sic alligato, idem archiepiscopus Arundel ita percussus in gutture fuit, quod nunquam usque ad mortem suam potuit deglutire nec loqui, et sic, qui verbum Dei lingua sua suspendit, in lingua sua ligatus fuit quando loqui maxime ante mortem optavit. Homo enim non imponeret silentium omnibus doctoribus et episcopis eo quod plures de utrisque hæretici fuerunt

[p. 437.] Consimiliter, doctores et episcopi boni dicerent et prædicarent regibus et dominis mundanis, ut dimitterent episcopos et rectores et vicarios a curiis suis, ut recte sacrificarent ipsi et subditi eorum Domino. Recte enim sacrificarent, si opera curæ suæ debita, residentes inter subditos suos, facerent; perit enim ecclesia, quia indigni sunt ordinati in pastores et officiarios ecclesiæ, et quia boni episcopi et curati non resident cum subditis. Væ hiis qui conferunt ecclesias et officia alicui, non intendens principaliter ut opera debita coram Deo recte perficiat in seipso, et in aliis, set ut ditetur et impinguetur deliciis, et quod dilatetur honoribus mundanis, et quod promotus serviat de bonis ecclesiæ illi qui adquisivit ei ecclesiam vel officium, et sic jam ecclesiæ et episcopatus sunt pensiones et mercedes servorum regum et dominorum mundanorum. Talis est maledictus,

'a Deo maledictus,' inquit Jeremias, 'qui facit opus Dei negligenter;' ille facit opus Dei negligenter qui tradit curam ecclesiæ vel officium regiminis, non cum debita intencione, ut debite perficiantur opera quæ Deus voluit fieri in ecclesia seu in illo officio. Item, facit opus Dei negligenter qui intendit placere homini pocius quam Deo, et sic facit ille qui potest conferre officium ecclesiæ habiliori, et tamen confert minus habili. Si enim Deum recte diligeret, illi ecclesiam conferret quem scit vel credit quod melius Deo placeret, et majora et plura bona perficeret coram Deo in seipso et in aliis. Fidelis servus et prudens esset quem homo constitueret super familiam Domini Dei sive in regimine populi Dei, ut testatur Dominus Deus, Matt. 24. Tamen aliquando personæ abiles eliguntur ad officia in ecclesia et populo regendo quia non reperiuntur habiliores, sicut in bello assumuntur forciores et fortes quia non sunt tot viri forciores quot sunt necessarii bellatores.

[p. 438.] Sic jam si doctor prædicet regibus et dominis et episcopis, ut faciant archidiaconos, canonicos, et rectores, et vicarios, qui manerent in officiis ipsorum dominorum, exire a curia sua et dimittere illa officia, ut vigilent super gregem eis commissum, ut subditi sui recte Deo sacrificent, mox irascuntur, et dicunt: 'Licenciam habeo a papa ad retinendum mecum quos volo, non dimittam ergo episcopos nec alios curatos,' inquiunt reges et domini, 'a curia mea;' illis enim serviunt jam episcopi et magni officiarii, vivendo in curiis de decimis et oblacionibus ecclesiarum. Unus enim archiepiscopus et vj episcopi jam per plures annos non manserunt in suis curis, nec opera curæ suæ fecerunt; sed manserunt vel in domo unius regis, vel in officiis regis, et sic dispersi sunt lapides sanctuarii in mundi solicitudinem.

[p. 445.] Consimiliter, solebant doctores Theologiæ Oxoniæ nullam quæstionem disputandam in scolis Oxoniæ proponere, nisi textum aliquem Scripturæ sacræ, puta, utrum 'Deus nostrum refugium et

virtus sit, adjutor in tribulacionibus?' et doctor Ricardus Flemmyng, Eboracensis diocesis natus, qui fuit episcopus Lincolniensis famosus, circa annum Domini m cccc xx induxit Oxoniæ modum usitatum jam inter theologos Oxoniæ, in quæstione proponenda, et in quatuor conclusionibus ponendis concernentibus primum et secundum et iij^{m} et quartum librum Sentenciarum concernentibus (*sic*), et sicut solent fratres vacantes studio cotidie ponere certas conclusiones quas tenere intendunt arguentibus eis sic; bonum est jam prædicatori ut proponat in principio sui sermonis certas materias, in quibus intendit ponere certas conclusiones, veras et utiles populo et clero, et illas conclusiones probet autoritate scripturæ sacræ, vel sanctorum, vel doctorum, vel ratione, sicut patet in forma quæ hic consequitur et scribitur. Dicat ergo prædicator in principio sui sermonis isto modo: 'Intendo in sermone meo, per Dei graciam, tractare de certis materiis necessariis seu utilibus, et in iisdem materiis intendo ponere certas et veras conclusiones, intendo enim jam loqui de timore habendo ad Deum et de amore ad Deum habendo. In prima materia, de timore, pono quod "timor Dei est inicium sapienciæ." Item, aliud est, quod qui timet Deum nichil negligit, seu prætermittit debiti sui, quod tenetur facere. Item, alia conclusio est, quod sicut timor Dei est inicium, inducens plures virtutes, et hominem a malo, sic contrarium ejus, seu carencia timoris, inducit plura mala in hominem. Prima conclusio, quod "timor Dei est inicium sapienciæ," ostenditur isto modo: sapiencia est habitus, mediante quo, habenti illum, sapit objectum per noticiam et per amorem. Sapiens est qui recte sapit in mente, et in affectu suo; et timor Dei, quo timet homo tanto summo bono offendere, inducit in hominem hunc spiritualem gustum, quo homo habet noticiam divinæ voluntatis et bonitatis, et causat hominem quærere media per quæ attingere potest ad Deum, qui summum bonum est; et sic timor Dei est inicium inductivum sapienciæ in hominem.' Et si prædicator intendat declarare certas materias propositas in principio sui sermonis absque

themate, tunc declaret materiam propositam, et illa quæ includuntur in illa materia proposita, et materiam propositam in principio sui sermonis ita declaret prædicator, quod non recitet conclusiones materiæ in numero, sed declaret materiam propositam secundum exigenciam materiæ et secundum exigenciam et utilitatem audienciæ ad salutem animæ; ut si velit prædicare de timore Dei declaret illam materiam et inclusa in illa materia, et tunc non dicat, 'Tales conclusiones et tot conclusiones volo declarare in ista materia,' sed dicat, 'Talem materiam volo declarare per Dei graciam, sicut materia illa concernit, vel sicut videtur michi esse utile saluti animarum;' et tunc declaret doctor seu prædicator materiam propositam secundum exigenciam et habitudinem, i. e. sequelam illius materiæ, sicut theologus declararet materiam propositam, in leccione sua ordinaria vel extraordinaria, secundum exigenciam materiæ propositæ, et secundum illud quod materia proposita exigit et requirit, et secundum habitudinem seu sequelam materiæ propositæ, et secundum quod materia declaranda concernit, et dicat prædicator sicut dixit Sanctus Jeronimus ad sanctam virginem Eustochium in prologo libri quinti sui super Ezechiele.

[p. 447.] Et isto modo intendo ego deinceps prædicare, per Dei graciam, sc. materias necessarias, de quibus loqui intendo, in principio sermonis proponere, et contenta in eisdem materiis declarare, absque assumcione alicujus textus vel thematis in principio sermonis vel prædicacionis, ita quod modus prædicandi ad populum sequatur modum legendi doctorum quando legunt ordinarie aut extraordinarie lecciones suas in scolis, declarantes in una leccione unam vel duas vel tres materias, vel contenta in eisdem. Antiquus enim modus proponendi conclusiones in scolis Theologiæ Oxoniæ per doctores fuit, proponere aliquem textum Bibliæ per modum conclusionis disputandæ, ut si quis diceret, utrum 'Deus nostrum refugium et virtus sit, adjutor in tribulacionibus?' quod non arguitur sic et sic. Item, quæro in secunda materia mea disputanda, an 'Deus vidit cogitaciones hominum?' et hic

quæram talia et talia, et talis modus disputandi fuit servatus Oxoniæ inter theologos usque ad bonæ memoriæ doctorem et episcopum Lincolniensem, doctorem Ricardum Flemmynge, natum in comitatu Eborum.

[Ib.] 'Arcus forcium superatus est, et infirmi accincti sunt robore,' i. e. sciencia quæ putatur subtilis, et curiosus modus dicendi et prædicandi, infirmus est, quia parum vel nullum fructum parit; 'et infirmi accincti sunt robore,' i. e. plano modo dicendi utentes in prædicacione sua, accincti sunt fortitudine spirituali, et alios sic faciunt fortes in virtute, ut ait doctor Nicholaus de Lira in Postilla sua morali super Bibliam, primo Regum ij[1]. Sed non habet illud in Postilla sua litterali, seu historiali, super Bibliam; et est utrumque opus Liræ Cantabrigiæ, et eciam magister Willelmus Grey habet idem opus Oxoniæ in camera sua in aula Ballioli.

[p. 449.] **Prædicare.** Si ille, qui docet, non turpi lucro et gloriæ atque jactanciæ, sed utilitati legencium audienciumque provideat, tales prohibentes et impedientes verbum Dei et curam debitam animarum per indignorum et insciorum institucionem in ecclesia, sunt ebrii illa ebrietate qua curis sæculi inebriatur et obruitur animæ vigor. Hæc Sanctus Jeronimus, super Amos prophetam, ca°. ij° textus. Prædicator qui, præcipue hiis diebus, prædicet in nomine Jesu contra episcopos et rectores residentes in palaciis regum et dominorum, et ibi bona suarum ecclesiarum expendunt, et in anni donis dant dominis mundi et eorum servis, vel ibi vivunt, ut sibi thesaurizent sibi bona ecclesiarum in perdiciones animarum, more illius episcopi, qui nuper michi cognitus obiit, habens in thesauro post mortem octo milia marcarum, qui nunquam fuit in sua ecclesia episcopali, nec in diocesi sua postquam fuit episcopus, sed vixit Londoniis in quiete corporis, et post mortem episcopi quasi omnia bona sua spoliata fuerunt per unum armigerum; et jam novi 4^or^ magnos episcopos extra curam suam et diocesim quasi in officiis temporalibus occupatos, et duos in curia temporali quasi continue residentes:

nunquam enim legitur, nec, ut investigare potui, reperitur, quod aliquis rex Angliæ habuit episcopum in suum confessorem, nec episcopum in domo sua ebdomadatim manentem, excepto Henrico Sexto. Henricus enim Quartus, quando confessor suus factus fuit episcopus, ipsum curæ suæ et episcopatui ire præcepit. Henricus enim Quintus, prudens rex valde, et regnis pluribus terribilis, secum habuit unum maturum doctorem in sacra theologia, M. Thomam Walden, in suum confessorem, qui nulla cura animarum oneratus erat; et sic reges et domini quondam solebant suos capellanos retinere, qui omni cura animarum soluti erant, præter curam eorum dominorum, cum quibus degebant; et sic Sanctus Jeronimus ostendit quod facerent reges et magnates moderni, 'Ne,' inquit, 'ministros Xti nostros faciamus ministros, nec pro carnalibus refrigeriis altaria Domini polluamus.' Hæc Sanctus Jeronimus libro 13° super Ezechielem prophetam, super capitulo 44 textus prophetæ. Levitæ enim separati erant in ministerium speciale Dei, sic curati separati essent in curam animarum, et ut vigilarent in nocte super gregem suum, ne, sc. nox tribulacionis nec temptacionis gregi noceret, ut in malo deficeret vel ut bonum actum et Deo debitum omitteret, seu desereret. Item, Xtus quasi semper fuit cum discipulis suis usque ad passionem post eleccionem eorundem in discipulos.

[p. 455.] Quomodo nullus prædicaret in publico, nisi prælati et curati et licenciati per unum istorum? Nota bene in libro magno De actibus in Consilio Pisano et Constansiensi, et De actibus Consilii Basiliensis, et nota hæc ibi in libro illo in collegio Dunelmensi Oxoniæ, in egregio actu facto per magistrum Henricum Caldifren, de ordine prædicatorum, contra Wulricum Bohemum, in consilio Basiliensi; et nota ibi in illo libro plurima per magistrum Johannem Polymare de dominio civili contra Petrum Payn, alias Clerk, magistrum Arcium Oxoniæ, et filium Francigenæ, natum in villa Hoogh juxta Graantam, in Anglia, qui multa mala dixit et fecit in Bohemmia, et in Praga in

regno Bohemmiæ; et prædictus liber, De factis seu gestis in Concilio Pisano et in Concilio Constanciensi et in Concilio Basiliensi, quod fuit translatum ad Ferrariam, et postea ad Florenciam, est in tribus voluminibus scriptus in papiro in Oxonia in collegio Dunelmiæ; et in uno eorum sunt boni actus de dominio civili et de punicione peccatorum, et qui prædicarent verbum Dei, et quales, et qui tenentur publice prædicare, et qui non tenentur, per magistrum Henricum Caldifren, ordinis prædicatorum.

Anno Xti m^{mo} cccc^{mo} tricesimo fuit concilium generale Basiliense, in tempore papæ Eugenii quarti, et propter pestem translatum fuit concilium illud a Basilea ad Farrariam, et postea a Farraria ad civitatem Florenciam, et acta illius concilii Basiliensis patent in tribus magnis voluminibus; et opto ut aliquis bonus vir per Dei graciam laboret ad habendum acta in illo concilio scripta vera manu, quia ille liber magnus, continens tria volumina, continet plura acta bona et determinaciones doctorum notabilium in Theologia, de unione Græcorum in una fide ecclesiæ Latinorum, cui postea Græci contradicebant; et tunc destructi (*sic*) fuerunt per disputaciones egregias et determinaciones contra hæreticos de Bohemmia, præcipue contra Johannem Husse de Bohemmia, et contra Procopium Rasum de Bohemmia, hæreticum magnum, et contra Petrum Payn, alias Clerk, de Bohemis, Anglia tunc existentem cum hæreticis, qui in Praga obiit anno Xti m^{mo} cccc^{mo} quinquagesimo quinto secundum computationem Angliæ, sed quinquagesimo vj^{o} secundum computacionem Bohemmiæ. Iste Petrus hæreticus habuit diversa nomina; vocabatur magister Petrus Payn. Item, Petrus Hogh, quia natus fuit in villa Hogh juxta Grantam. Item, vocabatur Petrus Freyng, i. e. de Francigenis, quia Francigena fuit pater ejus; et vocabatur magister Petrus Inglys, i. e. Anglicus, quia fuit natus in Anglica; et quia fuit magister Arcium Oxoniæ vocavit seipsum Petrum Clerk; et contra prædictos hæreticos fuerunt multæ prædicaciones et determinaciones egregiæ doctorum: quæratur ergo,

in nomine Domini, vera copia prædicti libri De actis et gestis in Concilio sacro Basiliensi.

[p. 500.] Consimiliter sunt diversæ causæ quare episcopi moderni, et rectores, et vicarii, et ecclesiæ collegiatæ non consenciunt alios prædicare in suis ecclesiis; 1. una causa est ne sciencia prædicancium ostendat ipsos præsidentes esse inscios, et ignorantes, qui nesciunt ita loqui populo sicut ipsi prædicatores. 2. Item, alia causa est, quod prædicacio ostendit illa opera esse bona quæ ipsi odiunt, et illa opera esse mala quæ ipsi pro bono diligunt, et sic prædicant contra illa vicia propter quæ episcopi et curati odiuntur a populo. 3. Item, alia causa est, quod prædicacio convertit a peccatis mulieres quas ipsi tenent, et ideo odiunt prædicaciones tales. Unde nuper novi quod sacerdoti petenti concubitum cum sua meretrice, ipsa respondebat, 'Væ mihi, quia ex sermone, quem hodie audivi, novi quod graviter peccavi tecum, et ideo nunquam tecum deinceps peccabo!' et iste sacerdos Baal, i. e. sine jugo castitatis, hoc audiens, juravit, dicens, 'Ex quo prædicacio retraxit hodie te a meo amore, nunquam erit sermo in ista ecclesia, quamdiu ego vixero et impedire potero;' et postea idem sacerdos captus est et castratus per vij millearia ab Oxonia ubi ista mulieri dixit.

[p. 507.] Consimiliter jam, anno Domini 1450 et antea, dixerunt plures regi Angliæ Henrico Sexto, quod prædicatores verbi Dei, famosi in Theologia doctores, per prædicationes suas contra peccata puplica, in regno et in concilio regis privato usitata, causant contra regem insurrexionem in populo, et tum injuriæ puplicæ, et annuales taxæ, et decimæ, et alienacio bonorum, quæ coronæ pertinebant, et defectus judicii per judices ecclesiæ et regni fuerunt ita manifesta et tam plura in numero, quod, si illi prædicatores tacere voluissent, 'lapides,' i. e. multitudo populi, 'clamassent,' ut inquit Salvator de suis discipulis, quos Pharisei optabant tacere cum populo, ne clamarent Xto, 'Benedictus qui venit in nomine Domini!' Et horum

prædicatorum famosi fuerunt magister Gilbertus Wurthyngton, rector ecclesiæ Sancti Andreæ in Holburne, Londoniis, et magister Willelmus Lyttfelde, rector ecclesiæ Omnium Sanctorum, Londoniis, et magister Petrus de Beverley, alias Hirforth, doctores famosi in vita et sciencia de cathedra Cantabrigiæ, et doctor Thomas Eburhal, Oxoniensis, qui tunc fuit magister collegii Ricardi Wittyngton, qui omnes fortiter, verbis et scripturis, restiterunt, cum bono doctore Myllyngton, contra Reginaldum Pecok, episcopum tum Assavensem, postea Cicestrensem episcopum, per ducem Suthfolciæ Willelmum Powle. Iste enim episcopus, Wallicus origine, prædicavit quod episcopi non tenebantur prædicare, eo quod episcopi sunt; et quasi omnes episcopi Angliæ tunc ei favebant, vel saltem ei non repugnabant: et statim postea inundabant insurrecciones contra ecclesiam et contra regem, per milia hominum, qui dixerunt, 'Ecclesiastici destruunt nos, qui bonis suis laute vivunt, et nos inedia perimus, et regem destruxerunt vel adulando vel tacendo.' Hæc erat vox puplica; et dux Suffolciæ, et episcopus Sarum, Asku, et Jacobus Fynys, dominus de Say, occisi fuerunt per communitatem anno Domini 1450; et prædictus episcopus, et dominus prædictus Johannes, fuerunt occisi infra unam septimanam, episcopus in die sanctorum Apostolorum Petri et Pauli, sc. feria 2ª, occisus fuit, et dominus Jacobus fuit occisus Londoniis proximo sabbato; et durante Parliamento Laycestriæ insurrexit comitas Kanciæ, et vocabant seipsos puplicos petitores puplicæ justiciæ fiendæ, et propriæ suæ injuriæ et regni ostensores, et ipsis insurgentibus parliamentum illud finitum fuit, quod diu continuatum erat Londoniis et Laycestriæ, ut communitas aggravata expensis et laboribus consentiret certis peticionibus regis, et certis taxis, quas peciit; sed concessa non fuerunt quæ petita erant a rege, dictum enim fuit in puplico, quod, nisi communitas Angliæ articulis propositis consentiret, parliamentum non fineretur, et plures minas et a rege et a suis juvenibus consiliariis sustinuit communitas istius parliamenti. Et in mandatis

a rege habuerunt, quod procederent in articulis communitati ex parte regis propositis; et unus articulus fuit, quod communitas Angliæ provideret pro pecuniis quibus Normannia deffenderetur per Anglicos, et quod communitas Angliæ non intromitteret se de factis regis et dominorum; et tum rex prius dederat Andigaviam regi Ceciliæ existente tunc in Francia, quia aliter non potuit habere ejusdem regis filiam in uxorem, et quia dux Suthfolciæ, Willelmus Powle, nomine procuratorio regis Angliæ, cum regis Ceciliæ filia in Gallia contraxit, ideo dixerunt Gallici, quod eam extra regnum Franciæ non duceret, quousque eorum amicus, rex nomine et non re, Ceciliæ, haberet sibi et successoribus collatum a rege Angliæ ducatum Andegaviæ, et quia idem dux cum eadem prius contraxit, nomine regis Angliæ, ut ejus procurator, et quia idem dux maximus fuit cum rege Angliæ Henrico Sexto, ideo ipsi Gallici ei dixerant, quod ipsam desponsatam et permissam ad nupcias regis Angliæ in Anglia dux ipse Suthfolciæ non duceret, nisi Andegaviam prædicto regi prætensæ Ceciliæ in perpetuum concedi a regi Angliæ impetraret; et sic, sub literis regis Angliæ patentibus, ut dicitur, Andegavia a prædicto rege Angliæ et suis successoribus alienatur; et prædictum parliamentum Angliæ, indies vexatum laboribus et expensis, palam dixit, quod nunquam concederet taxam regi, nisi prius idem rex Angliæ auctoritate parliamenti ejusdem resumeret actualiter omnia pertinencia coronæ Angliæ, quæ idem rex prius dederat et alienaverat a sua corona. Et, ante completam decisionem plurium articulorum in illo parliamento, surrexit communitas Canciæ, sub capitaneo Johanne Cade, qui descendit de Rogero Mortemere bastardo; et iste capitaneus, post perdonam regis sibi et suis donatam, prodicione unius famuli sui, ut dicitur, vulneratus fuit ad mortem, et mortuus perductus Londonias anno Domini 1450 in mense Julii; et eodem anno et mense expulsi fuerunt Anglici a Normannia in magno numero, et Normannia iterum in manus Gallicorum tunc redacta est, in tempore regis Henrici Sexti. Ex quo

enim episcopi favebant Reginaldo Pecok, episcopo tunc Assavensi, dicenti, quod episcopi non tenerentur prædicare, eo quod episcopi sunt, nec ipsi peccant in dando annuata, i. e. primos fructus, papæ, antequam fiunt episcopi, non stetit Anglia in pace, sed mox insurrexerunt plurimi in Anglia, spoliantes et occidentes diversos, et pessime loquentes de ecclesiasticis hominibus, qui vivunt de bonis ecclesiæ, et eciam de officio aliquo magno cum aliquo domino, quod habenti sufficeret ad vitam honestam sustentandam. Item, dixerunt insurgentes tunc in Anglia, quod pluralitas ecclesiarum, et appropriaciones ecclesiarum parochialium monasteriis et ecclesiis collegiatis, et non residencia prælatorum et rectorum in suis curis, et indigna malorum et juvenum in ecclesia promocio, quos ego novi jam nescire loqui Latinum, nec propria bona recipiunt, sed servi eorum bona eorum recipiunt, et expendunt; hæc mala et proclamant omnes famosi: 'Destruunt bonum regimen ecclesiæ et animarum.' Jacobus enim Fynys, qui vocatus fuit dominus de Say, una cum aliis personis circa Regem Henricum Sextum, non permittebant aliquem prædicare coram rege, nisi prius ipsi viderunt illum sermonem scriptum, vel prius juraret vel promitteret prædicaturus, quod non prædicaret contra assistentes regi, nec contra facta regis, nec contra facta sui privati vel verius pravi concilii; et sic verbum Dei injuste et inique, cum aliis suis fautoribus, alligavit, ne exiret in puplicum bonum et debitum; et jam episcopi non prædicant vocaliter et exemplaritèr, sed Deus prædicat realiter inferendo eis et aliis peccatoribus magna pœnalia.

[p. 511.] Aliqui sciunt, et possunt, et debent prædicare, et tamen non prædicant; et causam reddunt dicentes: 'Frustra corrigo, frustra prædico, quia audiens non obedit, nec seipsum corrigit, et ideo non prædico, quia fructum, quem intenderem, non percipio, et sic prædico, quod prædico, et quod dico.' Tales enim sic dicentes considerarent quod nesciunt utrum audiens verbum fructum verbi recipiet an non; dicat ergo prædicator quod Deus ipsum posuit erogatorem et

datorem verbi sui non exactorem vitæ ipsius audientis. Tuum est dare, audientis est informari, et secundum verbum operari, quod si non faciat, verbum prolatum coram Deo erit contra ipsum in testimonium, quod novit, quod audivit, quod intellexit, et tum non fecit; ideo Dei est exigere verbi fructum, et prædicatoris est dare verbum. Ideo tali dicet Deus illud evangelii, 'Quare non dedisti pecuniam meam,' i. e. verbum, 'ad mensam,' i. e. ad puplicum ministerium, 'ut ego veniens exigerem usuram,' i. e. incrementum boni operis per verbum? ideo dicit beatus Augustinus Sermone suo ducentesimo, quem fecit ad populum die ordinacionis suæ in episcopum, 'Erogatorem verbi posuit te Deus, O episcope, non exactorem, sc. vitæ, in audiente, quia hoc pertinet Deo.'

[p. 515.] **Promocio.** 'Heu! heu! heu! Domine Deus! nunquid consummacionem facies?' sicut dixit Ezechiel propheta Dei et sacerdos. Consimiliter clamandum est jam, Heu! Domine Deus! quia consummacio boni regiminis jam est in diversis locis, ubi, propter lucrum habendum et divicias, ut expendantur in domibus promovencium, curiales, luxuriosi, officiarii dominorum, et curiose loquentes, et medici pocius corporum quam animarum ponuntur in ecclesiis, in episcopatibus, in dignitatibus, et in præbendis, et sic ponuntur in ecclesiis festucæ pro columnis, pueri pro viris, ribaldi pro sanctis hominibus, inscii pro maturis viris et scientibus, et monachi, et religiosi diversi, qui dicunt se orare pro parochianis, quorum divicias et oblaciones habent appropriatas, nec orant coram eis, dando eis exemplum devocionis sanctæ, nec dant illis parochianis elemosinas necessarias, nec curatis necessaria, per quæ, in eorum sanitate et in eorum infirmitate, possunt providere necessaria animabus suorum parochianorum! et ideo dixit dominus Lincolniensis, doctor Robertus Grosseteste, in proposicione coram papa Innocencio, 'cum ecclesiarum parochialium appropriacio facta est, in ecclesia Dei omnium malorum perpetuacio'.... In Anglia enim per 50 annos et ultra, ab anno Xti 1403, in quo fui natus, non

novi promotos esse in ecclesia qui sciunt, possunt, et volunt debito modo animabus prodesse, sed qui verbis malis et exemplis scirent se ipsos animabus multum nocere, omittendo bona opera debita, et commissa mala plurima facere, qui non volunt audire veritates, et tacere, i. e. illis virtutibus obedire et illas opere implere. Similes sunt tales Herodi, impio regi, qui Matthæi ij°, quærebat puerum Jesum ad perdendum eum, et ad occidendum eum; sic tales episcopi et promoti, et in regno magni domini et officiarii quærunt magistros prurientes auribus, i. e. eorum factis et verbis faventes; et tales eciam quærunt audire veritates, et doctores vera dicentes et prædicantes, et dicta eorum vera, et argumenta, falsis dictis et argumentis carnaliter commentis, quæ caro et sanguis eis revelavit, reprehendant et improbent, et quod licet eis, licitum ab aliis putetur, et quærunt veritatem audire, ad perdendum et ad improbandum illam. Novi enim communiter usitatum in Anglia, tempore Henrici, quod magni divites, nunquam electi ad dignitatem in ecclesia, optinuerunt a rege ad acceptandum a papa Romano, si eam possent a papa adquirere, provisionem papalem ad quamcunque dignitatem, et sic per pecunias multas Romæ missas, et per provisiones papæ, licenciam (*sic*) regis Angliæ, Henrici vj^ti^, optentas, fuerunt episcopi; et alii tales sic fuerunt decani in cathedralibus ecclesiis, sicut fuit magister Ricardus Andrew, doctor civilis, qui sic, optenta provisione papæ Nicholai quinti ad decanatum ecclesiæ cathedralis Eboraci, cassari fecit per papam eleccionem domini Willelmi Bernyngham, electi in illum decanatum, et canonicis illi resistentibus, ne provisionem suam per papam Romanum impleret nec exsequeretur, fecit excommunicari, et ecclesiam cathedralem Sancti Petri Eborum per papam ob omnibus actibus divinis ecclesiasticis per plures septimanas suspendi; et sic factum fuit, et ipse Ricardus sic intrusus fuit in illum decanatum; et simul cum hoc habuit decanatum collegii Laycesteriæ ducis Lancastriæ, et cum illis duabus decanatibus simul retinuit multa beneficia per annos plures: ad laudem Dei pecunia

sua sit secum in confusionem Deo placentem! et tali modo et mediis talibus fuerunt episcopi, sc. episcopus Menevensis, i. e. David in Wallia, et eciam Willelmus Buthe, archiepiscopus Eboracensis in Anglia, qui nec fuit virtuosus in noticia hominum, nec sciens, nec graduatus in aliqua facultate in aliqua universitate, sed cupidus legista juris regni, qui nuper optinuit a parliamento regni Angliæ, anno Xti 1445, licenciam appropriandi unam ecclesiam parochialem seu rectoriam in sua diocesi uni abbathiæ cum ista condicione, quod illa abbathia solvat annuatim ecclesiæ cathedrali Eboracensi xx libras pro exequiis illius episcopi ibi celebrandis annuatim; et credo quod memoria ejus erit in malediccione in sæculum. Iste prædictus episcopus Eboraci, Willelmus Buthe, ut habetur per magnas evidencias, odivit clericos magnos in sciencia et vita, et promovit in ecclesiis juvenes et nepotulos suos, et eciam fratrem suum Laurencium, in adulterio genitum, ad mille marcas annuatim promovit; et sic in tali statu stetit Anglia in tempore meo. Utinam ego essem pauper et mendicus ad Dei placitum, sic quod sancti viri et devoti et scientifici essent promoti et regerent curas animarum cum eisdem residentes. Deo enim vivo et vero semper sit laus sua sibi debita pro omnibus sanctis suis et judiciis suis justis et promissionibus, qui novit quod ego Thomas Gascoigne, Anglicus nativitate, nunquam habui michi oblatam aliquam præbendam in aliqua ecclesia Angliæ xij marcarum, præbendam tamen Combe decimæ, in ecclesia Wellensi, quasi octo michi marcarum annuatim dedit michi bonæ memoriæ, ut credo, episcopus Wellensis, dominus Thomas Bekynfelde, doctor juris civilis! Cardinalis eciam Johannes Kempe, tunc archiepiscopus Eboracensis, dedit michi in manu mea collacionem, scriptam sub suo sigillo, cancellariatum Eboracensis ecclesiæ, post mortem doctoris Kexby, ibidem cancellarii, quem cancellariatum nunquam recepi; et una causa fuit quia proventus et redditus illius cancellariatus Eboracensis stant in redditibus seu decimis duarum ecclesiarum parochialium, quæ appro-

priantur officio seu dignitati cancellarii Eboracensis, quos fructus, si cancellarius recipiat, vicarii et curati illarum duarum ecclesiarum sic annexarum cancellario prædicto nichil habebunt vel parum unde vivant, et sic, me renuente, doctor Willelmus Mourton fuit ibi cancellarius. O Domine Deus! infinitæ misericordiæ et justiciæ, justifica accipientes curas animarum et ipsas eciam renuentes ex causis tibi notis. Amen. Domini mundani qui promovetis, seu verius ad vestram dampnacionem et animarum plurium detrimentum intenditis, malos et inscios in officiis et in ecclesiis, hæc notate!

[p. 538.] **Potestas.** Plures nesciunt quæ concedunt, nec quæ mala consequuntur coram Deo ex lege illa vel ex concessione tali, sicut notum est nuper in tempore Eugenii papæ iiij, quod unus juvenis, xx annorum, habuit xij præbendas et licenciam ejusdem papæ ut posset recipere et retinere dum viveret quæcunque duo beneficia incompatibilia, rectorias, seu vicarias, seu archidiaconatus, seu decanatus, seu quascunque duas alias dignitates incompossibiles, citra episcopatum; et tantum ille idem juvenis fuit a tempore juventutis fatuus quasi naturaliter, nec novit congrue loqui Latinum nec linguam maternam, et laicus dives et nuptus recepit omnia sibi pertinencia ex beneficiis suis, qui dedit ei et tribus famulis ejusdem juvenis ut placitum fuit eidem viro seculari annuatim, qui laicus recepit et retinuit redditus illarum præbendarum et magni archidyaconatus, et idem juvenis non mansit in aliqua præbenda sua, nec aliquam illarum reparari fecit nec archidyaconatum suum visitavit per plures annos. Heu! heu! Domine Deus! quia cura animarum jam perit per malam promocionem, per non residenciam, et ecclesiarum appropriacionem seu annexionem, et quasi omnes ecclesiæ parochiales appropriatæ sunt jam religiosis et paucis collegiis, et non sunt ecclesiæ jam sufficientis victus et dotacionis in quibus honesti sacerdotes et doctores curam gerent, nec sufficiunt jam rectores nec vicarii exhibere juvenes ad studium, et sic perit sciencia et verus clerus. Ego enim, qui hæc scripsi, fui doctor

regens in Theologia Oxoniæ xiiij annos et ibi cancellarius, et a juventute mea vixi patrimonio meo temporali sine alio victu. Et utinam dum viverem solum illud haberem sic quod remediata esset appropriacio ecclesiarum ab illis qui essent veri curati et immediati! Sic papa Romanus, Xti vicarius, plura compellitur velle pro litteris et instanciis regum et dominorum, quæ alias non vellet, unde Sanctus Bernardus ait in Epistola ad Adam monachum, 'Credo Romanum pontificem talia non consensisse, nisi ignorancia deceptum, vel nimia importunitate devictum.' Unde audivi quod nuper, in tempore unius papæ, infra paucos annos mortui, quod papa, victus instanciis et precibus porrigencium eidem postulationes et gracias expectativas scriptas in cedulis, dixit, 'Ex quo sic petitis, et ita instanter me vexatis, ad dyabolum fiat ut petitur;' et sic una cedula signata fuit manu papæ scribentis, et postea concessio illa fuit bullata. O Domine Deus! da ut Xti vicarius, dominus papa, dicat petentibus ab ipso ut concedat quæ eis placent, sicut Ysaac dixit Jacob, putans eum esse Esau: 'Accede,' inquit, 'hic, ut tangam te, fili mi, et probem an tu sis filius meus, an non.' Dominus enim papa decipitur sæpe per false informatores et adulatores, carni et sanguini false placentes, et putat esse Esau qui est Jacob. Putat eum, pro quo licencia petitur, esse sanctum virum, bonum, et scientem, et non videt mala quæ sequuntur aliis hominibus per concessionem factam tali homini. Ideo dominus papa scriberet ad personas quas novit esse maturas vita et sciencia, ut ipsi, debite quærentes veritatem materiæ, papam informarent de veritate materiæ. Sic enim fecit beatus papa Gregorius, ut patet pluries in epistolis sui Registri. Et tunc dominus papa mitteret pro persona sibi ignota, pro qua licencia petitur, ut personaliter ad præsenciam papæ accedat, ut probet eum an sit filius aptus vita et sciencia ad habendum quod petit, et ut probet dominus papa an ex concessione sequatur malum vel peccatum seu detrimentum aliis hominibus vel ecclesiis parochialibus vel curæ animarum; sicut jam

notum est quod plures infantes moriuntur sine baptismo quia ecclesiæ parochiales non habent fontes, et abbatiæ diversæ habent licenciam et usum quod omnes de certis parochiis baptizent in eorum monasteriis, et tamen non possunt in nocte, nec in aliis temporibus, commode ad fontem ibidem accedere. Item, monachi Cistercienses habent ex privilegio, seu ex licencia papæ, quod idem est, decimas certorum agrorum, et jam licencia ita extenditur et abutitur quod in certis parochiis curatus vix aliquid habet de parochia unde vivat, et quasi omnes monachi in certis locis sunt magni mercatores et habent bona privata multa in manibus laicorum, et non permittunt ex curatis decimari, et sic 'sanguis sanguinem tetigit,' Osee iiij caplo., i. e. unum peccatum induxit alia peccata in plurima detrimenta animarum. O quanta bona faceret bonus papa, si bonum legatum, non inhyantem donis, sed saluti animarum, mitteret cum sufficienti potestate in reformaciones ecclesiarum et regnorum!

[p. 543] **Quærere.** Herodes rex quæsivit Jesum, etc. . . . exemplum patet jam de ordinacione episcoporum. Scitum est et notum quod episcopi olim eligebantur sancte a clero vel populo, vel sancte provisi et missi erant a papa Romano sine solucione primorum fructuum ecclesiæ Romanæ, et sine aliqua mediacione, et sine consensu regis; et mox post eleccionem ordinabantur in episcopum, et installati fuerunt post ordinacionem suam, et tamen ista veritate agnita contra veritatem fit, et veritas perditur et non exequitur; quia nullus jam in regno est episcopus nisi solvat curiæ Romanæ tot pecunias, seu tot milia, et eciam nisi cum hoc consensus regis concurrat. Væ ergo illis qui quærunt quid est agendum, et tamen faciunt continuum ut volunt, et sic quærunt veritatem ad perdendum eam et non ad faciendum secundum eam! Sicut Herodes quærebat Jesum ad perdendum eum et ad occidendum eum, quamvis dixit seipsum adorare Jesum si inveniretur.

[p. 546.] **Rector.** Plures optant et expectant ut habeant bonos episcopos prælatos, et ut habeant bonos rectores, per quorum bonum

exemplum, eis ostensum, et per doctrinam bonam, concipere vellent sanctas cogitaciones et producere plura bona opera; sed quia inimici Dei committunt et conferunt eis malos prælatos et malos rectores, ideo fornicantur et faciunt plurima opera mala, et quia non habent bonum pastorem et bonum rectorem morantem inter eos, fornicantur spiritualiter et corporaliter, et plura opera mala faciunt. Non enim possunt bona opera debite generare in sua diocesi vel parochia vel abbathia vel ecclesia cathedrali, quia non sunt cum suis subditis, nec debite manent inter eos, et ideo spiritualiter non convertunt homines a viciis in virtuosa opera, nec a peccatis ad virtutes. Manent enim in curiis magnorum dominorum mundanorum, et ibi expendunt bona ecclesiæ suæ, vel manent in universitatibus Parisiis vel Oxoniæ vel alibi, et debite non prosunt verbo, exemplo, auxilio, subsidio spirituali et corporali. Et aliquando Tamar non habet maritum, quia nullus vult eam accipere propter paupertatem, et ecclesiæ parochiales, in quibus quondam fuerunt magni rectores, hospitalitatem tenentes, et filios parochianorum ad scolas exhibentes, jam non habent bonos curatos, nec rectores, nec vicarios, quales haberent, quia ecclesia est ita depauperata per appropriacionem factam ab aliis extra parochiam manentibus, quod curatus quasi nihil habet, nec habet unde vivat ut clericus, nec unde juvare potest parochianos nec suam ecclesiam; et sic sedet in tristicia illa quæ quondam fuit 'domina gencium,' sc. parochia quæ quondam per bonum curatum fuit notabilis conversacionis et famæ inter gentes.

[p. 548.] Per illos approprietarios et non residentes carent debitis curatis, hospitalitate, prædicacione verbi Dei, exhibicione puerorum ad scolas, bono consilio et auxilio curatorum, qui, propter defectum bonorum appropriatorum aliis, non possunt auxiliari parochianis congrue; et tales flent coram Deo pro remedio contra approprietarios et non residentes, quibus solum hoc est remedium, non facere quod fecerunt, non residentes habere ecclesiam sic appropriatam, nec sic

absentem esse a cura sua. Disperdat Dominus virum qui tantum malum facit et virum qui offert munus Deo pro tali, i. e. pro tali viro qui ducit uxorem non suam quasi sua esset, i. e. qui habet bona ecclesiæ quæ essent bona immediati curati illius ecclesiæ.

[p. 551.] Hæc est racio sanctæ memoriæ doctoris Roberti Grosteste, quondam episcopi Lincolniensis, in epistola sua responsiva literæ Innocencii iiij^ti^ papæ, qui voluit et mandavit quod juvenis, nepos ejusdem papæ Innocencii, Fredericus nomine, ex provisione ipsius papæ, haberet proximam ex tunc vacaturam præbendam in ecclesia Lincolniæ; cui mandato papæ dominus Lincolniensis nunquam obedire voluit, asserens, in prædicta epistola responsiva, tale factum esse contrarium Dei mandato et saluti animarum; et Epistola illa incipit, 'Noverit discreccio vestra quod mandatis apostolicis,' etc. Iste enim papa Innocencius iiij^tus^ scripsit Innocencio, collectori suo in Anglia, et archidiacono Cantuariensi, mandatum, et non obstante quocunque statuto, vel decreto, consuetudine, vel juramento præstando in ecclesiis cathedralibus ipsi domino, inducerent Fredericum nepotem papæ, et alienigenam, in realem possessionem præbendæ proxime vacaturæ in ecclesia Lincolniensi. Sed dominus Lincolniensis ipsum Fredericum in canonicatum recipere non voluit, nec ejus procuratores, nomine ipsius, asserens ipsum Fredericum eodem actu inhabilem, et in ætate juvenili indispositum ad regimen animarum, et ad actus pertinentes et debitos præbendæ vacanti Lincolniæ, et eidem collectori papæ in Anglia Innocentio, et archidiacono Cantuariensi rescripsit idem dominus Lincolniensis epistolam responsivam litteris papæ et litteris ipsorum dominorum, et epistola illa responsiva domini Lincolniensis litteris papæ Innocencii et prædictorum dominorum incipit, 'Noverit discrecio vestra quod mandatis apostolicis,' etc. Qui enim nunc vocatur collector papæ in Anglia in tempore domini Lincolniensis vocabatur scriptor papæ in Anglia, unde papa Innocencius iiij^tus^ scripsit Innocencio scriptori suo in Anglia pro prædicta provisione

Innocencii papæ juveni Frederico nepoti ejusdem Innocencii papæ. Hæc reperi in Cronica Eveshamiæ, ego magister Thomas Gascoigne, Anglicus nacione, Eboracensis diocesis, doctor sacræ Theologiæ et cancellarius Oxoniensis universitatis.

[p. 561.] **Rector et Episcopus.** Nuper notum est quomodo bona quæ essent patrimonia Xti Jesu sunt vastata; unus enim homo, valde inhabilis, habuit decanatum ecclesiæ cathedralis in Anglia, Wellensis ecclesiæ, concessum sibi per provisionem papæ, et rex Angliæ, Henricus Sextus, dedit ei licenciam ad acceptandum provisionem sibi concessam per papam Eugenium; et tum cum manu forti in eadem cathedrali ei restiterunt ne intraret in ecclesiam, dicentes se et capitulum illius ecclesiæ habere licenciam papæ Romani ut eligerent sibi ipsis decanum; et sic ille provisus in decanum Wellensem per papam Eugenium impeditus fuit, et non admissus in ecclesiam illam, seu decanatum; et tunc optinuit bullas papæ et excommunicavit omnes qui decanum alium tunc eligerunt, et qui ipsum provisum a possessione decanatus Wellensis impediverunt, et ipsis excommunicatis et stantibus sub provocacionibus, per multas pecunias datas illis qui fuerunt circa regem, idem inhabilis, provisus in prædictum decanatum et rejectus per capitulum, factus fuit episcopus Menevensis, Sancti David, in Wallia, consenciente papa, et rege pro hoc scribente papæ et consenciente; et unus episcopus malus, et alii graduati in scolis Oxoniæ in domo regis, regi dixerunt, 'quod melius fuit et virtuosius talem provisum in decanum facere episcopum, quam optimum virum et maxime scientificum Angliæ, quia ex illo,' ut dixerunt, 'sequeretur finis litis inter prædictum provisum atque inter electum decanum:' et sic fecerunt magna mala ut minus malum evitetur, sc. malum discordiæ inter illos duo decanos. Item, in hoc facto graviter et mortaliter peccaverunt quia consenserunt inhabilem fieri episcopum.

Item, fecerunt magna mala ut minus malum evitetur, magna mala

fecerunt quia bonos, sanctos, et scientes excluserunt, ne essent pontifices, ne aliquis eorum ibidem pontifex, et hoc ut lis corporalis evitaretur. Item, detrimenta pessima fecerunt toti diocesi Menevensi, eo quod talem episcopum eis ordinari procuraverunt, qui nec mala debite eradicaret nec debita opera plantaret. Item, exemplum pessimum suis posteris relinquunt ut consimiliter male facerent secundum exempla priorum.

[p. 567.] **Rector.** Novi enim jam in ecclesia valde viciosos et fatuos ex nativitate exaltari, ita quod unus habet septem præbendas et magnum archidiaconatum centum librarum, et nunquam per viginta annos aliquam earum personaliter visitavit; sed unus vir, nuptus et armiger, omnia bona præbendarum et archidiaconatus illius annuatim recipit et secum retinet et habet xx libras annualis pensionis a præfato stulto; et alius secularis habet x libras, et alius secularis habet x libras, et alius secularis x libras, et alius mundanus centum solidos; et ipse nullum denarium habet, nisi secundum voluntatem prædicti secularis, qui omnia bona præfati archidiaconi recipit, et ipsum archidiaconum exhibuit per xx annos in domo alterius ad communas ebdomadales xvj[d]; et audivi, ego doctor et professor sacræ paginæ, eundem archidiaconum dicentem, anno Domini 1440: 'Non curo de clerimonia, ego enim majora habeo quam magni doctores, et ego credo ita bene sicut illi; credo enim tres Deos esse in una persona, et credo quicquid Deus credit.' Hæc absurda ego, Cancellarius Oxoniæ, audivi personaliter ab ore ejus. Deus scit quod non mencior. Et tum ego novi quod jam in studio Oxoniensi stetit unus doctor, theologus in Oxonia ultra xxiiij annos, et fuit regens in sacra Theologia per annos xij ibidem, et postea bis cancellarius Oxoniæ et ter ibi electus in illud officium, et creavit 35 doctores sacræ paginæ, et tamen, a principio mundi usque in diem resignacionis dicti cancellariatus, nunquam aliquis episcopus, nec abbas, nec aliquis temporalis, optulit sibi aliquam ecclesiam cum cura nec sine cura animarum, nec præbendam, nec capellam, excepto uno milite

cui soror sua fuit tunc nupta, et illa ecclesia per militem oblata non fuit sufficiens unde idem posset vivere.

[p. 569.] Si enim episcopus debite curæ suæ diocesis vacaret in singulis diocesibus, non esset multiplicacio tot malorum, pro quibus reformandis jam necesse est recurrere ad papam, ad regem, ad consilia, et ad parliamenta. 'Obsta principiis, cito medicina paratur;' ante enim magnam pestem in Anglia paucæ fuerunt querelæ in populo, et paucæ implacitaciones, et sic fuerunt item pauci legistæ in Angliæ regno, et pauci legistæ in Oxonia, quando fuerunt triginta milia scolarium in Oxonia, ut vidi in rotulis antiquorum cancellariorum Oxoniæ, quando ego fui ibidem cancellarius; et promocio bonorum virorum, et residencia in suis curis, et ecclesiæ sufficienter dotatæ et non appropriatæ aliis non curatis, extra parochiam manentibus, fuerunt causæ quare paucæ lites tunc regnabant in parochiis, et pauci errores in comparacione litium et querelarum et errorum qui jam sunt; et tunc justiciarii regni Angliæ utebantur in capuciis sui officii pellibus agninis et non de minuto vario; solum enim episcopi, doctores, et magistri in universitatibus et domini de parliamento utebantur illis diebus minuto vario, et albo, et griseo, ut michi dixerunt qui ista viderunt et noverunt; et tunc solum doctores in Theologia utebantur rotundis pilleis quando prædicabant clero seu populo. Et quale ornamentum capitis est pilleum declarat Sanctus Jeronimus in Epistola ad Fabiolam. Sed heu! jam sunt signa sive signatis seu significatis in pluribus, quia non sunt in eis bona propter quæ signa instituta sunt, ut monerent mentem hominis qualiter debet eum agere, et ut cogitaret qualis esset, et onera sui officii.

[p. 571.] Heu! heu! heu! Domine Deus! Tria jam constituunt et faciunt hominem esse episcopum,—quinque milia marcarum, vel diversa milia cameræ papæ missa; et voluntas regia, et astancium sibi, quorum manus repletæ sunt muneribus; et tercio requisitum est concensus papæ Romani et cardinalium Romanorum, qui cassant

omnes elecciones dignitatum, et reservant sibi ipsis elecciones omnes dignitatum: et jam est usus in Anglia quod homines acquirunt a rege licenciam, ut ipsi possent accipere et acceptare provisionem papæ ad talem episcopatum, vel ad talem decanatum eligibilem, et ipsa licencia a rege optenta papa cassat eleccionem factam canonice in ecclesia Anglica; et sic Ricardus Andrew, decanus prætensus Eboracensis, qui habuit licenciam a rege Angliæ, Henrico Sexto, ad acceptandam provisionem papæ Nicholai quinti decanatus ecclesiæ cathedralis Eboracensis, fecit eleccionem Willelmi Bernyngham in illud decanatum cassari et adnullari; et quia ministri illius ecclesia Eboracensis primo noluerunt admittere ipsum Ricardum provisum in decanatum, ideo fecit eos per illum papam excommunicari et ecclesiam illam Eboracensem a divinis officiis per .... septimanas suspendi. Væ! væ! væ! et quando abbates vel alii sunt per licenciam papæ exempti, et jurisdictioni ejus subjecti solum, nec visitantur per papam nec per aliquem alium episcopum, et sic perit bonum regimen animarum! Nullus potest appellare ad papam et ire ad papam extra regnum, nisi prius præhabita licencia regis.

[p. 590.] **Regnum Angliæ.** Anno Domini 1455, et ante, fuerunt magnæ perturbaciones in Anglia, vivente rege Henrico vi°; et eciam bellandum fuit eodem anno, apud Sanctum Albanum in Anglia, in præsencia regis, per ducem Eborum Ricardum et suos, qui, coacti ad bellandum, occiderunt diversos: cujus belli causa hæc fuit, quia prædictus dux scripsit regi Henrico Sexto, per doctorem Wulfet ipsius ducis confessorem, ut ipse rex, existens tunc in civitate Sancti Albani, dignaretur deliberare Edmundum ducem Somersetiæ in manus duorum militum, ea intencione, ut, sine aliqua pugna, idem dux Edmundus duceretur in turrim Londoniarum in custodiam licite, sicut ante illud tempus fuit deliberatus ab illa turri per regem illicite et contra concilium regni; et hæc peticio ducis Eborum exaudita non fuit; quod audiens, dux Eborum aggressus tunc fuit bellum cum suis

contra Edmundum prædictum tunc in civitate Sancti Albani existentem, volens pocius illum ducem capi quam seipsum ducem Eborum et suos per ipsum ducem Somersetiæ capi et occidi; et nemo ibi spoliatus fuit bonis suis per consensum ipsius ducis, sed sine ejus consensu, ut audivi ex dignis personis: et iste dux Eboraci, Ricardus, per parliamentum Londoniis, habuit, cum adhærentibus suis in bello apud Sanctum Albanum, perdonam seu indulgenciam de omnibus ibi in bello factis, et si quæ ibi fuerunt facta pro quibus aliquis in illo bello tunc existens voluit postea in jure placitare vel querelam facere contra ipsum ducem, vel contra aliquem alium secum existentem in bello illo apud Sanctum Albanum, et ipso duce Eboraci instituto protectore regni Angliæ per parliamentum Londoniis pro annis tunc futuris, regina Angliæ, Margareta, cum qua nihil bonorum Anglia recepit, sed perdicionem Cenomanniæ et Andagaviæ, quas terras maritus suus, Henricus Sextus, dedit in perpetuum, sub suo sigillo magno, patri reginæ, laboravit sic per se et per cæteros dominos, qui putabantur mali domini in regno, quod ille dux dimisit auctoritatem suam, quam parliamentum totum Londoniis eidem duci concesserat prius; et tunc illa regina traxit ad locum mansionis suæ, in comitatu Chestyr, tam regem Henricum Sextum quam principem duorum vel trium annorum, et tunc ipsa sic regnavit, anno Xti 1456, quod secundum voluntatem ipsius reginæ quasi tota negocia regni facta fuerunt per fas vel per nephas, ut dicebatur a diversis. Qualis finis erit horum Deus scit, qui omnia novit: 'Fiat voluntas Dei, sicut in cœlo, eciam in terra fiat.'

Regnum Angliæ Cenomanniam, i. e. Malkus (*supra*), et perdidit Andegaviam, i.e. Awnioy, in tempore Henrici Sexti, regis Angliæ, et sic consequenter perdidit Normanniam et Franciam et Vasconiam; et causa perdicionis Cenomanniæ, i. e. Awnioy, hæc fuit, quia Willelmus Pule, comes quondam Sowthfolkiæ, et ordinatus dux et marchio Sowthfolciæ, nomine procuratorio ejusdem regis Angliæ, desponsavit

Margaretam, filiam minorem ducis Loringiæ, qui vocabatur rex Ceciliæ, sed nichil inde habuit, expulsus inde per regem malum Aragoniæ Alfonsum; quo matrimonio contracto, ipse dux recessit iterum in Angliam, et pecunia magna quintadecimæ et decimæ in Anglia collecta, iterum in Franciam equitavit et navigavit, ad ducendum illam Margaretam in Angliam, ut esset uxor regis et regina, sed tempore intermedio Francigenæ arestaverunt eam dicentes, 'Ista jam est regina Angliæ et tu, dux Sowthfolciæ, non habes salvum conductum regis nostri Franciæ pro ea, ideo tu non habebis eam in Angliam;' et dux prædictus hæc considerans et qualia sibi ipsi duci fierent in Anglia, si ipse illam in Angliam non duceret, optinuit a rege Angliæ, Henrico Sexto, Cenomanniam et Andigaviam dari in perpetuum patri illius reginæ, duci Loringiæ, cujus nomen fuit regnator; et sic factum fuit. Et statim postea rex Angliæ, Henricus Sextus, perdidit Normanniam et Franciam, quam, sine bello et ictu, Franciginæ optinuerunt a manibus paucorum Anglorum ibi existencium; et statim postea perdidit rex idem Angliæ Vasconiam; et regno Angliæ, occisionibus episcoporum et dominorum, tunc multum perturbato, regina illa Margareta, cum qua nec valorem x marcarum regnum recepit, plura fecit in regno Angliæ, ut creditur, postquam maritus suus, rex Angliæ, incidit in manifestam stulticiam; et qualia sequentur ex reginæ actibus, anno Domini 1457, Deus scit.

[p. 591.] Haraldus de armis regis Franciæ Karoli, in tempore regis Henrici Sexti, juravit, per Deum et per ipsum Karolum regem Franciæ, armigero Angliæ de Somersethir vocato Sanc Barb, quod ipse haraldus armorum audivit regem Franciæ dicentem quod rex Angliæ prædictus, cum consensu diversorum dominorum de consilio ejusdem regis Angliæ, dedit et concessit regi et coronæ Franciæ omnes terras extra Angliam quas idem rex Angliæ habuit, seu se habuisse prætendebat, exceptis tribus locis, sc. Villa de Calys et castello Hamys et castello Kynis juxta Calisiam, et hæc esse vera juravit per Deum idem haraldus

armorum, Powntes nomine. Et hæc juravit esse vera per Deum et per arma regis Franciæ, inter villam de Rone, tunc perditam ab Anglicis, et villam vocatam Banys, et sic idem rex Franciæ habuit. Cito post hoc habuit Vasconiam et Kyan, postquam rex Angliæ, Henricus Sextus, fuit nuptus Margaretæ filiæ ducis Lotringiæ, qui diu ante illas nuptias fuit privatus et expulsus a regno Ceciliæ per malum regem Aragoniæ Alfonsum, qui turpiter invasit et male ecclesiam sanctissimi Pauli apostoli Romæ, et fecit eam esse stabulum equorum suorum, et læsit multum columpnas illius ecclesiæ pro odio quem (*sic*) habuit tunc Eugenio iiij^to^ papæ Romano, quia papa non voluit dare sibi partem de patrimonio ecclesiæ in Campania; et illo tempore, in ecclesia illa Sancti Pauli, unus Catelanus cucurrit ad ymaginem Sancti Pauli ibi in illa ecclesia, et dixit, 'Ad quid portas tu gladium? ego volo habere gladium tuum;' et conabatur auferre a manu ymaginis Sancti Pauli, et, Deo tunc operante in ymagine, cum gladio illo percussit caput ejusdem miseri Catelani et divisit caput ejus in medio in duas partes usque ad mentum ejus, et mortuus ibi fuit; et qui hæc novit et vidit, in tempore Eugenii iiij^ti^ papæ Romæ, hæc michi dixit, sc. bedellus ipsius papæ, dominus Erasmus Fullar, de regno Ungariæ sacerdos; pro quo miraculo divino multi Romani dederunt laudes Deo et sanctissimo Paulo, Dei apostolo.

Anno Domini 1456, intravit pessimæ memoriæ imperator Turcorum, Waldewach nomine, in regnum Ungariæ per mare et per Danubium cum centum milibus Turcorum paganorum et sexaginta, et in festo Sanctæ Mariæ Magdalenæ quadraginta milia Xtianorum de Ungaria occiderunt ibi in Ungaria centum milia illorum Turcorum, et quinquaginta milia eorundem, fugam capiente imperatore Turcorum cum verecundia in patriam suam; occisique fuerunt de illis Xtianis, in illo Dei bello seu victoria, octodecim milia virorum in regno Ungariæ. Clamabant Xtiani illi, per instanciam devoti doctoris magistri Johannis de Capistrano, ordinis Sancti Francisci de obser-

vancia, 'Jesus! Jesus! Jesus!' magnis et continuis vocibus; illo devoto viro quondam socio Sancti Bernardini de Senis, qui jacet in Aquila, præcedente Xtianos in illo bello et crucem cum ymagine Xti portante, et 'Jesus! Jesus!' clamante, et Domino Jesu, semper glorioso, victoriam Xtianis illis concedente. Hæc patent in litera sigillata cum sigillo armorum suorum domini Johannis Hungat, comitis Visterciensis in Ungaria, qui fuit capitaneus inter illos Xtianos, qui fuit protector tunc regis et regni Ungariorum, qui reservavit in regno Ungariæ omnes pecunias collectas et datas pro indulgenciis Ungaris concessis per papam Nicholaum quintum anno Domini 1451; quæ pecuniæ fuerunt in Ungaria collectæ per cardinalem tituli Sancti Petri in Vinculis, Nicholaum de Cusa; sed ille bonus comes non permisit illum portare aliquid de illis pecuniis Romæ, sed ille comes servavit omnes illas pecunias collectas pro indulgenciis ad expendendum contra paganos Turcos, et sic expensæ fuerunt contra Turcos in quorum metis seu merchiis ipsi Ungari manent; et quia ille comes non permisit illas pecunias, sic collectas, portari ad Romam, ideo papa Nicholaus quintus ipsum excommunicavit et regnum Ungariæ: sed ille comes, dominus Johannes Ungat, et regnum Ungariæ appellaverunt a pedibus papæ Nicholai ad pedes Jesu Xti, pro cujus amore servaverunt illas pecunias ad expendendas illas contra inimicos crucis Xti, Turcos paganos. Quo audito et cognito, idem papa Nicholaus quintus ipsum comitem absolvebat a sentencia lata ab ipso papa, et alios eciam in regno Ungariæ quos secum excommunicavit; et postea, anno Xti 1456, papa Calixtus iij[s], considerans bellum Dei et ejus victoriam contra Turcos, bullis suis et literis hortabatur populos diversorum regnorum ad oraciones et ad pœnitenciam, concedendo septem annos indulgenciæ pro certis processionibus et oracionibus fiendis, quociens fiebat processio cum sermone ad populum, cum certis mediis, ut vidi in scriptis missis ejusdem papæ, ego, Thomas Gascoinge, filius et hæres Ricardi Gascoigne, de Hunslet Eborum diocesis, et cancellarius universitatis Oxoniæ.

[p. 593.] **Reges.** Istud est contra modernos et contra regentes Oxoniæ qui vendunt gradus et gracias, i. e. dispensaciones suas, seu licencias ad gradus scolasticos, et eciam vendunt officia et bedellatus seu aliquem esse ibi bedellum. . . . . . Væ! væ! quantæ sunt tenebræ in orbe, et quot in Anglia surrexerunt postquam episcopus Cicestrensis, Reginaldus Pecok de Wallia, prædicavit ad crucem sanctissimi Pauli Londoniis quod episcopi, in hoc quod episcopi sunt, non tenentur prædicare coram populo, accipiendo hunc terminum prædicare in suo proprio significato, et causam istam reddidit dicens, 'Dionisius papa divisit parochias ab episcopatibus, et dedit curam animarum rectoribus et curatis immediatis ecclesiarum parochialium, et tunc,' ut dixit ille Pecok, episcopus ille, 'papa Dionisius disoneravit episcopos ab onere prædicandi in suis diocesibus et a multiplici cura imposita tunc per illum papam Dionisium curatis ecclesiarum parochialium' . . . . sed quia iste Pecok episcopus visus fuit diversis episcopis Angliæ disonerasse episcopos ab obligacione prædicandi, et ab obligacione plura opera curæ animarum faciendi, ideo, ut creditur, et dicitur, habuit diversos episcopos Angliæ ei faventes, quamvis diversi doctores Theologiæ Oxonienses et Cantabrigienses multa fecerunt contra eundem episcopum Pecok, prædicando, scribendo, et determinando publice Londiniis in præsencia archiepiscopi Cantuariensis, Stafford, qui fuit civilista, et in præsencia eciam ibi plurium episcoporum, et postea coram archiepiscopo Cantuariensi, Kemp nomine, et postea coram domino Thoma Bouschir, archiepiscopo Cantuariensi; inter quos doctores præcipue in causa Dei fuerunt M. Petrus Hyrford, Lincolniensis diocesis; M. Willelmus Myllyngton, Eboracensis diocesis; doctor Thomas Eborall; doctor Johannes Burbach; et doctores egregii eciam iiij^{or} ordinum patrum; et doctor Hugo Damlet; qui in diversis scriptis ipsius Pecok Anglicis et Latinis ipsum erroneum et hæreticum indicaverunt, quia Pecok episcopus multum vilipendebat dicta et scripta iiij^{or} sanctorum doctorum, Sancti Jeronimi, Sancti Ambrosii, Sancti

Augustini, Sancti papæ Gregorii, et aliorum sanctorum et doctorum, innitens suæ propriæ invencioni, et assercioni ingenii sui proprii, quod proprium est paganis et hæreticis, teste sanctissimo Jeronimo super Oseæ propheciam, cap°. vij°; et hæc scribi in hoc libro, seu scripto meo, De veritatibus, collectis ex scriptura sacra, et ex scriptis sanctorum et doctorum, judicavi esse utile memoriæ futurorum virorum, ego miser Thomas Gascoigne, vocatus doctor Theologiæ, Eboracensis diocesis. Quæ racio inventa est ab isto episcopo Reginaldo Pecok, quæ latuit sanctis patribus? Sicut quærit a magistro Petro Abelardo, antiquo magistro, novello subtilogo Parisiensi, sanctus pater Bernardus in epistola ad ipsum Petrum Abelardum, qui posuit quod ille cito et male credit, qui, sine ratione naturali prima, credit quod falsum esse testatur Sanctus Bernardus in operibus suis contra ipsum magistrum Petrum Abelardum. Heu! heu! quod unus novellus episcopus diceret quod apostoli Jesu Xti non fecerunt simbolum commune, vocatum Simbolum Apostolorum. Sanctus Atanasius, Alexandrinus episcopus, contra Arrianos, Fotinos, et Sabellianos, coram probo judice testatur quod 12 apostoli Jesu Xti Domini nostri fecerunt illud cimbolum. Idem testatur Sanctus Leo papa, in libro Epistolarum suarum, in epistola sua missa ad Pulcheriam Augustam. Idem testatur idem sanctus papa Leo in epistola ad Flamianum episcopum Constantinopolis civitatis, cujus epistolæ verba, sc. 'Si quis contradixerit, anathema sit,' inquit decretum universalis ecclesiæ sub Gelasio papa, et illud habetur 15 distinccione sancta Romana ecclesia. Item, sanctus doctor Jeronimus, in libro suo ad Laurencium (quem librum Sanctum Jeronimum fecisse scribit doctor Johannes Audree in suo Jerominiano, i. e. in libro suo De laudibus sanctissimi Jeronimi), testatur 12 apostolos simbolum illud edidisse post adventum Spiritus Sancti in eos in die Pentecostes, et fecerunt illud antequam abinvicem separati erant, ut irent ad prædicandum in orbe. Iste episcopus, in libro suo De fide, parte prima, ca°. iij°, dicit quod in dictis Gregorii sunt diversi defectus, et

quod dicta beati Gregorii, Omelia 26, non stant simul. O quam vilipendendi sunt illius Pecok sermones, qui ita vilipendit sacra testimonia Sancti papæ Gregorii! Sancti viri et egregii doctores declaraverunt intellectum sanum et intentum aliorum doctorum in suis scriptis, ut declarat esse verum hoc dictum Sancti Gregorii, 'Fides non habet meritum cui humana racio præbet experimentum.' Sanctus Thomas, 2ª 2ªᵉ, et doctor solennis, magister Henricus de Gandavo, in Summa sua, declarat hæc verba Sancti Gregorii, in Omelia sua 26, esse valde vera, et hæc est opus doctorale, sc. magis aperire sensum seu intellectum et intentum verborum sanctorum doctorum, quam ea frontose negare, vel ea falsa esse asserere, quorum sancta vita et doctrina per catholicam ecclesiam sunt approbata, lecta, et prædicata, et magna reverencia digna. Item, prædictus episcopus Pecok, in libro suo De fide, parte secunda, caº. quinto, dicit quod doctor subtilis fuit deceptus quando dixit quod Xtum descendisse ad inferos est articulus fidei, quia ponitur in simbolo; et dicit ibi, prædictus Pecok, quod in tempore Augustini non fuit ille articulus in simbolo, et sic non est verum quod apostoli posuerunt illum in simbolo. Hæc ille Pecok ibidem contra omnia testimonia prædicatorum sanctorum hic superius allegatorum, unde nec 'Ave!' ei dixeritis, 'si angelus aliter in hoc evangelizet' quam prædicti sancti doctores docebant, 'anathema sit.' Anno enim Domini Jesu Xti millesimo quadringentesimo lº septimo, circa festum Sancti Martini, episcopi et Xti confessoris, prædictus Pecok, episcopus Cicestrensis, expulsus fuit Londoniis a præsencia regis et dominorum regni spiritualium et temporalium, et a domo concilii regis et dominorum regni: jubente sibi in illa domo archiepiscopus Cantuariensis, dominus Thomas Bourcher, quod ipse Pecok episcopus exiret ab illa domo concilii regii, et a præsencia regis ibi tunc existentis, et a præsencia dominorum regni ibi tunc existencium, spiritualium et temporalium; nullus enim dominus temporalis tunc in illo concilio magno regis et regni existens voluit loqui concilium suum nec avisamentum, nec ea

quæ intellexit pro bono regni ibi exprimere, quousque ille episcopus Pecok esset extra domum illius concilii, magnis doctoribus et pluribus in Theologia ibi in illo concilio regis præsentibus; et libros ipsius Pecok exigentibus a domino prædicto Cantuariensi, qui promisit quod haberent illos ad examinandum; et prædictus episcopus Pecok dixit prædicto archiepiscopo quod ipse voluit inducere coram illo archiepiscopo omnes libros suos quos fecit infra triennium ante illum diem, et pro illis libris voluit, ut ibi dixit, respondere, sed non pro aliis libris suis quos ipse episcopus Pecok ante illum (*sic*) triennium tradidit aliis hominibus, quia, ut dixit, illi libri non fuerunt correcti per ipsum Pecok, sed indeliberate, aliis petentibus, illos libros incorrectos eis tradidit; et sic postea libri ejus, sc. novem, introducti fuerunt in præsenciam archiepiscopi per eundem Pecok; et inventi tunc fuerunt illi libri ipsius Pecok in pluribus locis cancellati et rasi in diversis locis, et iterum de novo scripti per eundem episcopum; et sic exivit a domo concilii regii apud Westmonasterium iste Pecok, episcopus Cicistrensis, Wallicus origine, qui proposuit legem naturæ supra scripturam, et supra sacramenta, et qui in factis suis et verbis dixit, 'Anima mea nauseat super cibo illo levissimo,' sc. de scriptis Sancti Jeronimi, Sancti Ambrosii, Sancti Augustini, et Sancti Gregorii, et aliorum sanctorum; eorum enim scripta vituperavit et in pluribus illa vera esse negavit, et racioni suæ propriæ adhæsit ista Pecok episcopus. Anno Domini m^{mo} cccc^{mo} quinquagesimo vij^{o}, in sabbato infra octavas sanctissimi Martini, Xti confessoris, citatus et monitus per archiepiscopum Cantuariensem, Thomam Bourcere, præsentavit archiepiscopo illi ix libros quos Pecok edidit, ut traderentur per archiepiscopum illum doctoribus præcipuis ad examinandum, qui contra Pecok episcopum indies instabant, qui Pecok episcopus, exclusus illo anno de concilio regis et regni, optavit et peciit quod non judicaretur secundum judicium illorum doctorum, sed per sibi pares, quos estimabat esse non episcopos Angliæ, qui tunc, ut credebant aliqui, inventi sunt minus habentes,

sed optabat habere tales examinatores librorum suorum quos ipse vocabat sibi pares in scolastica disputacione, et favore quem optabat habere per adhærentes ei juvenes, et malæ fidei notatos, et reputatos istius Pecok episcopi. Novum cimbolum, quod edidit, fuit destructum, et revocatum, et inhibitum, ut pro simbolo ab aliquo haberetur, per prædictum archiepiscopum Cantuariensem, et per confratres suos episcopos, qui sic proclamari fecit per doctorem in Theologia, Pinchebek nomine, ad crucem Sancti Pauli, Londoniis, anno Xti m^mo^ cccc^mo^ l. vij^o^, in dominica infra octavas Sancti Martini, Xti confessoris, 'Archiepiscopus Cantuariensis, Thomas Boushere, consulto rege Henrico vj^o^, expulit ipsum Pecok episcopum Cicistrensem a domo regii concilii, omnibus ibi dominis regni temporalibus illum expelli optantibus.'

[p. 596.] Doctor Hugo de Vienna, qui fuit de primis qui utebantur de cardinalibus Romæ rubeo capello; pro qua materia, nota Willelmum de Vanais, monachum Sancti Dionysii, in sua Cronica.

[Ib.] Regnum Angliæ fuit multum perturbatum, anno Domini 1457, per libros Anglicanos editos per unum Vallicum, Reginaldum Pecok, episcopum Cicistrensem, qui primo prædicavit Londoniis, publice dicens, ad crucem sanctissimi Pauli, quod episcopi in hoc, quod episcopi, non tenentur prædicare; et tunc post hoc incidit de abisso malorum in majorem abissum et profundum malorum, reprehendendo dicta sanctorum ; et anno Xti 1456 misit literam suam Majori Londoniarum, Canyng nomine, qua lecta ut valde suspiciosa perturbacionis fidei, et insurreccionis in regno Angliæ, idem Major misit illam literam regi Henrico Sexto; quæ ipsum et dominos suos in odium ipsius Pecok episcopi multum excitavit; et anno Xti 1457 doctores 24, in præsencia archiepiscopi prædicti Cantuariensis et fratrum suorum episcoporum Londoniis, multa scripta Pecok probaverunt in præsencia ipsius Pecok episcopi esse erronea, et ipsa scripta, per eum si essent defensata, esse hæretica, et hoc se probaturos coram rege Henrico Sexto, suis pileis utentes, promiserunt. Episcopus enim electus et confirmatus

de Exonia, magister Georgius Nevel, filius comitis Sarum, dixit prædicto episcopo, in tempore suæ examinacionis, passionato, seu ira commoto, 'Domine Cicistrensis, Deus ex suo justo judicio vult vos hæc opprobria magna pati, quia vos indigne valde reprehendistis et negastis esse vera scripta verba per beatum Jeronimum, et Sanctum Augustinum, et sancti papæ Gregorii doctoris, et eciam opera aliorum sanctorum.' Et episcopus Pecock Cicistrensis dixit electo in episcopum Exoniensem, 'Pœnitet me sic scripsisse, fui enim non sufficienter videns in materiis.' Omnes enim domini temporales regni, qui tunc fuerunt Londoniis cum rege Henrico VI, optabant ipsum episcopum Pecok expelli de domo concilii regis et dominorum, et sic fuit, et multum infesti erant ei propter diversas causas; una fuit, quia scripsit tales profundas materias in Anglicis, quæ magis aptæ erant lædere legentes et audientes quam illis proficere. Item, quia scripsit ille episcopus literam suam Majori Londoniarum, Canyngys nomine, quam literam ille Major Londoniæ misit prædicto regi; qua litera episcopi Pecok lecta coram rege Henrico Sexto et suis dominis, inventæ fuerunt in ea evidenciæ, seu conjecturæ, seu probabiles suasiones, ad mutacionem fidei in regno Angliæ et eciam ad magnam populi in regno perturbacionem, et in scandalum magnorum dominorum in regno quos dixit in litera sua ipsi episcopo et libris suis Anglicanis adhærere. Item, præcipue provocavit omnes dominos temporales tunc regni in odium ipsius Pecok episcopi, quod mutavit simbolum nostrum commune quod ediderunt apostoli Domini nostri Jesu Xti. Ipse enim Pecok episcopus scripsit et dixit quod apostoli non fecerunt illud cimbolum nostrum commune, et diversos articulos in illo cimbolo negavit verbis suis et scriptis suis; et ideo novum cimbolum magnum et longum in Anglicis verbis composuit, quod dampnatum fuit Londoniis, ut pro nullo cimbolo haberetur nec nominaretur, auctoritate archiepiscopi Cantuariensis et eciam Eboracensis et aliorum multorum episcoporum, quæ dampnacio lecta fuit Londoniis per doctorem Pynchbek ad crucem Sancti Pauli anno

Domini 1457, die dominica infra octavas Sancti Martini, gloriosi Xti confessoris. Et in crastino Sancti Edmundi, regis et martiris, idem Pecok episcopus revocavit diversas conclusiones per eum positas in libris suis et ab eis recessit coram archiepiscopo et aliis episcopis et doctoribus Theologiæ, secularis habitus et religiosi; et anno Domini millesimo quinquagesimo (*sic*) septimo, apud Lamhith, die Novembris 28, in præsencia domini Cantuariensis et aliorum episcoporum et plurimorum doctorum Theologiæ, recessit a libris suis quos scripserat, et a conclusionibus suis, et illas abjuravit ibidem ipsis præsentibus, et duobus dominis secularibus, sc. domino Thoma Stanle, et domino De Scalys, et multis militibus; et omnes libros tunc revocavit: et sic revocavit illum librum suum proprium, in quo scripsit quod episcopus, in eo quod episcopus est, non obligatur prædicare; et magnæ causæ movebant clericos et dominos temporales multum contra eum, sc. quod scripsit altas materias, i. e. profundas, in Anglicis, quæ pocius abducerent laicos a bono quam ex vero simili plures ducerent ad bonum. Item, secundum magnum motivum contra illum Pecok episcopum fuit, quod vilipendit et renuit opera et scripta sanctorum doctorum ecclesiæ Sanctum Jeronimum, Sanctum Augustinum, et beatum Ambrosium, et beatum Gregorium, et omnes alios scriptores dicendo 'Vath!' de scriptis eorum sanctorum nisi racione naturali dicta sua probarent. Item, quia negavit commune cimbolum esse cimbolum ab apostolis editum. Item, quia fecit novum et longum cimbolum suum proprium in Anglicis, in quo omisit certa posita in cimbolo nostro apostolorum, et scripsit quod homo crederet ecclesiam catholicam esse, sed non tenetur stare determinacioni ecclesiæ, si homo habeat sufficientem exceptionem in ingenio suo contra illam. Et eodem anno Xti Jesu m[mo] cccc[mo] quinquagesimo septimo, ij[a] dominica adventus Domini, quæ fuit illo anno in die Sanctæ Barbaræ virginis et martiris, sc. quarto die Decembris, in præsencia archiepiscopi Bouser et episcoporum Roffensis et Londoniensis, idem Pecok recessit a libris suis omnibus, et in scriptis

ibi abjuravit: et combusti fuerunt tunc ante eum ad crucem Sancti Pauli apostoli, in illo cimiterio, libri ejusdem magistri Reginaldi Pecok, Wallici origine, et tunc episcopi Cicistrensis, qui antea fuit episcopus Assavensis in Vallia, et quondam fuit socius collegii de Oriell in Oxonia, et doctor fuit Oxoniensis in Theologia, et nec ante gradum illum nec post gradum illum fecit aliquem actum in scolis pro forma sua, sed recepit illum gradum per dispensacionem, i. e. per dissipacionem seu licenciam ad malum per regentes in Oxonia, ut ego Thomas Gascoigne novi, quando ipse Pecok, provisus tunc in episcopum Cicistrensem per media Willelmi ducis Southfolchiæ et Walteri Hart episcopi Norwycensis, incepit in Theologia sub quodam monacho Cisterciensis ordinis, quando ego, prædictus Gascoigne, Eboracensis diocesis natus, fui cancellarius Oxoniæ, circa annum Domini 1445, et quando libri prædicti Pecok fuerunt combusti Londoniis, anno, die, et loco prædictis, ipse episcopus Pecok fuit præsens in loco combustionis eorundem, sedens ad pedes episcoporum; et sic ille idem episcopus Pecok, qui antea prædicavit ad crucem Sancti Pauli quod episcopi, in hoc quod episcopi sunt, non tenentur prædicare, et hoc idem scripsit, illud idem postea revocavit, et in eodem loco ubi malum hoc prædicavit, videbat libros suos ante seipsum comburi in præsencia episcoporum et in præsencia cleri et magni populi, anno Domini Jesu m^{mo} cccc^{mo} quinquagesimo septimo, ij^{a} dominica adventus Domini, quæ fuit quarta die mensis Decembris; et causa suæ confusionis fuit quod vituperavit dicta et scripta sanctorum doctorum Jeronimi, Ambrosii, Augustini, et Gregorii, et aliorum et parum, vel nichil ponderavit de eis nisi probarent scripta sua racione, ut ipse Pecok dixit sæpe et scripsit, et audiente doctore Thoma Eboral dixit 'Vath!' de dictis eorum Jeronimi et Augustini, unde incidit in ruinam magnam. Deus pro sua misericordia nunc illuminet nos et eum gracia sua. Plures ei adhærentes et oleo adulacionis eum ungentes coram eo, et in ejus absencia vocabant eum maximum scientificum mundi. 'Popule meus,' inquit Deus per Ysaiam,

'qui te beatum dicunt, ipsi te decipiunt.' Ipse enim Pecok, episcopus Cicestrensis, anno Domini Jesu millesimo cccc^{mo} quinquagesimo septimo, 2^{a} dominica adventus Domini, quæ fuit iiij^{ta} die Decembris, in præsencia xx^{ti} milia hominum, inductus in habitu episcopali, ad pedes archiepiscopi Cantuariensis domini Thomæ Boucer, et episcopi Londinensis Kemp, et episcopi Roffensis Low, doctoris in Theologia Oxoniæ, et episcopi Dunelmensis, abjuravit ibi scripta sua et conclusiones suas scriptas, abjuratas per eum pridie in manerio archiepiscopi Cantuariensis de Lamheth, in præsencia 24 doctorum in Theologia, et tres magnos libros suos erroneos, cum undecim aliis in quaternis existentes, tradidit cuidam viro propriis manibus, qui igni ingenti ibidem præparato committeret, et sic factum tunc fuit Londoniis in cimiterio ecclesiæ cathedralis sanctissimi Pauli, apostoli Jesu Xti; et dixit eciam idem episcopus Pecok publice, 'Superbia mea et præsumpcio mea induxerunt me in hæc mala et opprobria;' et postea archiepiscopus Cantuariensis, Thomas Bourcer, mandavit eum ad Madiston, judicium expectaturum. Iste Pecok episcopus, qui Wallicus origine fuit, quondam socius in collegio de Oriel in Oxonia, vocavit in scriptis suis prædicatores puplicos, clamatores in pulpitis, ipse enim episcopus Pecok actum prædicandi, postquam fuit episcopus, non frequentabat, et quando revocavit conclusiones suas erroneas et hæreticas ad crucem Sancti Pauli apostoli fama fuit, si ipse descendisset ad ignem, in quo libri sui comburebantur, populus ibi eum projecisset in illum ignem. O Domine Deus! 'qui posuisti terram, quondam fructiferam, in salsuginem pro malicia habitancium in ea,' P^{o}. 106, tu scis omnia, tu enim scis qualiter iste idem Pecok episcopus vituperavit et indigne appreciavit dicta et scripta sanctorum doctorum Sancti Jeronimi, Sancti Ambrosii, Sancti Augustini, Sancti Gregorii papæ, et aliorum sanctorum et doctorum, unde ipse vituperator illorum sanctorum merito vituperabatur a milibus hominum, et ego, vocatus magister Thomas Gascoigne, doctor Theologiæ, et cancellarius Oxoniæ, credo firmiter quod ipse episcopus Pecok,

qui ita vilipendit scripta sanctorum doctorum Jeronimi, Ambrosii, Augustini, et Gregorii, et aliorum plurium sanctorum, merito fuit a milibus hominum in sua præsencia existentibus verecundatus. Fatuus est enim homo qui sagittat ut destruat solem; sic fatuus fuit iste Pecok qui verba evomebat contra sanctos doctores Jeronimum, Ambrosium, et alios plures sanctos patres, et eorum scripta, nam sagittæ suæ contra scripta eorum emissæ ceciderunt super caput ipsius sagittantis, quando justo Dei judicio errores suos, et hæreses, et libros suos proprios abjuravit, et ipsos comburi optavit, et præcepit coram cruce Sancti Pauli, Londoniis, anno Xti m^mo^ cccc^mo^ quinquagesimo vij, iiij^o^ die Decembris, in quo fuit tunc ij^a^ dominica adventus Domini; et sic in eodem loco, ubi ipse Pacok episcopus Cicestrensis prædicaverat prius quod episcopi non tenentur prædicare populo suæ diocesis, in eodem loco abjuravit libros suos proprios in quibus ille magnus error scriptus est per eum, et demandatus ad Cantuariam post suam abjuracionem dixit, 'Wyt hath wundur that reson kan not tel; how a moder is mayd and God is man,' (*Gascoigne*[1]) 'Leve reson, beleve ye wonder; Beleve hath mastry and reson is under.' Prædictus Pecok episcopus Cicestrensis, in tempore archiepiscopi Cantuariensis Stafford nomine, quando in ejus præsencia doctores theologi Oxonienses et Cantabrigienses legebant apud Lamhith, publice et sæpe, in præsencia ipsius archiepiscopi et ipsius Pecok contra hoc, quod ipse Pecok prædicaverat quod episcopi non tenentur publice prædicare, et sanctorum patrum sanccionibus contra ipsum episcopum Pacok allegatis, respondebat ipse Pacok 'Tuch!' i.e. 'Vath!' de dictis doctorum, et alias sic dixit: 'Quare vos non allegatis vosmet, cum estis doctores, ut Jeronimus et Augustinus?' et sic non curavit de scriptis sanctorum doctorum, ergo, justo Dei judicio, libri ipsius Pacok fuerunt reprehensi et combusti Londoniis ante crucem beati Pauli apostoli, et eciam in generali processione universitatis Oxoniæ in

[1] The author's name is written under and in the same hand.

Quadrivio, anno Domini m° cccc^{mo} quinquagesimo septimo, xvij die mensis Decembris, in die sabbati, in præsencia tunc Cancellarii Oxoniæ, doctoris Thomæ Chaundeler, tunc eciam custodis Novi Collegii Wintoniensis in Oxonia; plures enim hæreses et errores posuit iste Pacok episcopus in suis libris propriis Anglicanis, quarum aliquæ magnæ hæreses contra cimbolum 12 apostolorum patent in actu suæ abjuracionis, quam ipse Pacok episcopus legebat in scriptis ad crucem Sancti Pauli, anno Domini prædicto, quando libri ejus fuerunt ibi combusti coram xx milibus hominum et ultra. Lex Angliæ est quod domini parliamenti, accusati de magno crimine, per duodecim pares suos dominos barones, debent pro accusato a crimine ei imposito excusari vel in crimine sibi imposito finaliter pro reo pronunciari; sed iste episcopus Pacok, Wallicus nativitate, accusavit sanctos antiquos doctores magnos de falsitate, seu insufficiencia scriptorum eorundem doctorum; sed nec eis in sancta vita nec in eorum magna sciencia et eorum miraculis fuit ipse Pacok probatus eis æqualis; ideo, eos reprobans, sagittavit contra solem et sagitta sua propria, justo Dei judicio, excidit super capud proprium ipsius episcopi Cicestrensis Reginaldi Pacok.

[p. 599.] **Rex.** Consimiliter domini austeri et rigidi, et qui dedignantur audire pauperum causas, sunt causa quare non agnoscunt mala et injurias [et] subditorum; et eciam subditi vident quod alii quærunt remedium a superioribus, et non habent remedium, et ideo ipsi non quærunt remedium ab eis, quia non vident quod consequentur remedium. Unde talibus dominis terreni dicit Dominus Deus, Ysaiæ primo, 'Pupillo non judicant et causa viduæ non ingreditur ad eos,' i. e. ad eorum noticiam, quia tales judices secuntur retribuciones et diligunt munera, et sic non faciunt justum quia justum est, sed quia lucrum recipiunt pro facto suo vel pro verbo suo.

[p. 600.] Sic rex Henricus Quintus proposuit firmiter reformasse universitatem Oxoniensem et eorum statuta, edita per juvenes, ita quod regentes nunquam dispensassent cum aliquo statuto universitatis;

et idem rex dixit se facturum collegium theologorum et artistarum in castro Oxoniæ, et annectere eis omnes prioratus in Anglia quæ pertinebant alienigenis extra regnum; et hoc voluit ex licencia papæ, sed morte præventus est: et filius suus, Henricus Sextus, in juventute sua dedit dictos prioratus collegio de Eton juxta Windesore et collegio Sancti Nicholai in Cantibrigia.

[p. 604.] **Regnum.** Rex Angliæ, Henricus Sextus, a possessione Normanniæ, et Andagaviæ, et Cenomanniæ, et Vasconiæ recessit anno Domini 1450, et ista occasione, ut dicitur:—Dux Suthfolchiæ, Willelmus Pule, nomine procuratorio ejusdem regis Angliæ, desponsavit in Francia Margaretam, filiam prætensi regis Ceciliæ, nomine procuratorio regis Angliæ Henrici Sexti, tunc in Anglia existentis; et eam tunc dimisit in Francia, et rediens in Angliam, et multis expensis paratis, iterum rediit in Franciam, ut duceret prius desponsatam reginam in Angliam; et tunc fuit in Francia per decem et septem septimanas, nesciens ubi prædicta Margareta fuit, nec ubi condita; et tunc dux prædictus, qui inconsulte dimiserat illam prius intra Francos, videns se ipsum dura ex verisimili passurum, si sine illa in Angliam rediret, eo quod sine concilio regni Angliæ hoc matrimonium factum fuit, consensis votis, et desideriis regis tunc Franciæ, et, ut dicitur, manucepit eidem regi Franciæ, quod rex Angliæ votis regis Franciæ consentiret sic, quod prædicta Margareta manibus et potestati prædicti ducis Willelmi Pule deliberaretur, ut eam duceret in Angliam; et sic facta est alienacio Normanniæ et prædictorum terrarum sine resistencia Anglorum, et sine tributo annuali solvendo Angliæ, et sine aliqua pace finali conclusa seu concessa tunc inter illa duo regna. O si finis magni mali præteriti esset pax Deo placens inter ista regna Angliæ et Franciæ, quam Anglici potuerunt antea habuisse cum magna summa annuali annuatim Anglicis reddenda, si unus dux Angliæ et episcopus non contradixissent, quando concilium utriusque partis fuit apud aras!

[p. 605.] Præcepit Dominus, Numeri 36 ca°., quod omnes viri duce-

rent uxores de tribu et de nacione sua, ut hæreditas permaneat in familiis, ne sibi misceantur tribus, sed ita maneant, ut a Deo separatæ sint, ex quo patet quod utile esset, et plurimorum malorum destruccio, tantum reges et magnos dominos terrenos ducere uxores suas de eodem regno, ut hæreditas maneat hominibus ejusdem regni, ne regna misceantur, sed ita maneant ut a Domino separata sunt, sc. per diversa maria, et aliquando per deserta, et per montes; ut diversa regna a diversis et a propriis incolis gubernarentur, ne ambicio dominandi dampna inferat utrisque, ubi rex divisus est in plura et in majora forte quam regere possit.

[p. 607.] **Rex.** Ante Henricum Sextum nunquam fuit rex in Anglia qui retinuit secum aliquem episcopum in curia sua nisi per annum vel per diem, nec aliquis rex ante eum habuit episcopum aliquem in suum confessorem, sed unum bonum doctorem in Theologia; et si rex aliquis causa fuit quod confessor suus fuit electus in episcopum, mox remisit et licenciavit eum ire in suam curam, et nunquam postea occupavit officium confessoris regii; et tunc doctores fuerunt magnæ scienciæ et honoris, et positi in sessionibus et stacionibus supra milites et supra decanos et archidiaconos; et reges dicunt jam quod possunt habere quos volunt a curis eorum, et ab ecclesiis; et si maneant cum regibus et dominis in eorum curiis, dicunt quod excusarentur de non residencia in suis curis per papalem licenciam regibus et dominis concessam. Item, jam episcopi dicunt quod quicunque rectores vel vicarii suæ diocesis remaneant in curia episcopi vel in officio episcopi, censentur ex jure ecclesiæ residere propriis ecclesiis et in propriis curis. Væ! væ! væ! illis qui condunt leges iniquas, et qui dicunt malum esse bonum!

[p. 609.] **Regnum.** Regnum Angliæ, in tempore Henrici Sexti, multiplicibus peccatis fuit divisum, tum propter peccata capitum et subditorum, tum propter alienacionem temporalium bonorum et annui redditus regi Angliæ et coronæ ejus pertinencium; et quando Margareta, filia

ducis Lotringiæ, qui vocabatur rex Ceciliæ, fuit nupta regi Angliæ Henrico Sexti, mediis Willelmi Pule, tunc ducis Suffolchiæ, tunc rex Angliæ, Henricus Sextus, qui dedit terras suas in Anglia, coronæ Angliæ debitas, diversis dominis in Anglia et militibus, et aliis servis suis, et eorum hæredibus et assignatis, dedit, sigillo suo regio et magno regis Angliæ, Cenomanniam et Andegaviam patri prædictæ Margaretæ reginæ et ipsius patris hæredibus, cum qua regina rex Angliæ et Anglia non recepit terras nec divicias, sed diversas miserias.

Rex Angliæ, Henricus Sextus, dedit, sub sigillo suo magno, civitatem Cenomannis cum Cenomannia et civitatem Andegavis cum Andegavia, Anglice, Awnoy and Mayn, patri reginæ Angliæ Margaretæ et hæredibus patris illius reginæ Margaretæ, et sic concessit et dedit rex Angliæ, Henricus vj^{tus}, Cenomanniam et Andegaviam ad peticionem reginæ suæ Margaretæ, filiæ ducis Lotringiæ, qui vocavit seipsum regem Ceciliæ, et tamen nec obedienciam nec pecuniam ab illo regno, subdito tunc regi Arragoniæ, recepit; et regina ista prædicta peciit a rege Angliæ sic dari patri suo, per instanciam Willelmi Pulle, ducis Suthfolchiæ, et uxoris suæ, qui antea sic peti promiserant; et dicitur ab aliquibus quod ipse dux Lotringiæ juraverat prædicto duci et ducissæ, quod ipse efficaciter laboraret pro pace finali habenda inter Angliam et Franciam, si rex Angliæ, cui dedit filiam suam Margaretam in uxorem, daret ipsi duci Lotringiæ et hæredibus suis in perpetuum Cenomanniam et Andegaviam, et rex Angliæ, Henricus Sextus, sic sub sigillo suo dedit, et possessionem tradidit per magistrum Adam Molens, episcopum tunc Cicestrensem, qui tradidit prædicta in possessionem prædicto duci, jubente sic fieri rege Angliæ prædicto et concilio suo, sc. duobus ducibus et uno archiepiscopo, qui sic consenserunt peticioni regis Angliæ apud fratres prædicatores Londoniis, ubi tres prædicti domini consenserunt peticioni regis Angliæ, quod prædictus Adam episcopus deliberaret possessionem prædictorum prædicto duci Lotringiæ.

[p 611.] **Residivatio.** Sic meretur indurari a Deo, i. e. non liberari per Deum a malis culpæ et pœnæ, in quæ per peccatum cecidit, quod non solum racione et scriptura patet, sed eciam nuper experiencia illius sacerdotis, qui fuit rector nomine duarum ecclesiarum, et graduatus in jure, qui primo tenuit longo tempore mulierem in peccato carnis, et postea eam fecit nubere famulo ejusdem rectoris, et postea lite exorta, conduxit tres prætensos scolares ut maritum occiderent, qui ipsum maritum occiderunt, vidente rectore eodem et ridente in tempore occisionis, qui dedit xl li. uni episcopo, et xx li. abbati, et xl li. uni militi, ut rogarent regem pro perdonacione ejusdem.

[p. 612.] **Religio.** Sed dolendum valde est quod jam religiosi plures in habitu nec faciunt quæ debent, nec quærunt a scientificis viris et virtuosis illa quæ cognoscerent et quæ facerent, sed a legistis regni et ab illis qui publicorum sunt tiranni et defensores malorum, petunt sæpe consilia mundana, et eis dant multa bona terrena, et eos offendere timent, nec timent eos nec ditant muneribus quos sciunt in sciencia et in bona vita plures alios excellere, sed ipsos quos vident temporale dispendium eos inferre. Et dant dominis mundanis suas terras et possessiones terrenas, datas eis in monasteriorum fundacione, ut ipsi domini terreni expensis eorundem dominorum faciant ecclesias parochiales magni valoris eisdem religiosis, licencia papæ et regis, in perpetuum appropriari; et sic cura animarum perit, et hospitalitas, et bonum regimen in parochiis, et exhibicio juvenum ad scolas et ad universitates. •Et eciam per tale medium dant sua temporalia, eis in fundacione collata, pro ecclesiis, ex qua collacione sequuntur magna et plura mala parochianis ecclesiæ appropriatæ. Magnum enim remedium contra appropriacionem ecclesiarum esset quod unaquæque ecclesia magni valoris esset ecclesia collegiata, ita ut certæ personæ et boni clerici ibi fundarentur, et residerent, et de bonis ejusdem ecclesiæ viverent, et unus eorum curam reciperet parochiæ; et tunc bona ecclesiæ expenderentur infra parochiam, et eciam doctrina et

bona vita in parochia cresceret, quamvis ecclesia collegiata non haberet nisi duos vel tres sacerdotes scientificos et bene viventes, vel plures secundum valorem ecclesiæ, et sic est collegium Ricardi Wittington Londoniis.

[p. 628.] **Sacerdos.** Væ ergo eis qui concedunt ecclesias parochiales appropriari, et habent annuatim de qualibet ecclesia certam pensionem, de aliqua ecclesia xl solidos, de alia viginti solidos annuatim quas episcopi vocant indempnitates suas, vel dona pro indempnitate sua cavenda, et sic operuit lacrimis altare Dei!

[p. 648.] **Scriptura Sacra.** Nec est scriptura vituperanda, nec ut caliga Walliæ reputanda, si sit pluribus veris applicabilis, sicut nec materia prima est vituperata, eo quod capax est plurium et disparium formarum.

[p. 656.] **Scandalum.** Obiit Sanctus Beda, vij kalendas Junii, in monasterio sanctissimi Pauli apostoli in Jarn, vocato Girnum in Latine sermone; ibique sepultus fuit, et postea translatus Dunelmium fuerunt (*sic*) per devotum sacerdotem Dunelmensem Aluredum, filium Westini, et corpus ejus positum in eadem theca in qua fuit corpus incorruptum sancti patris Cuthberti, ita ut una et eadem theca corpus Sancti Cuthberti et ossa Sancti Bedæ continebat. Hæc vidi in Cronica bona Eveshamiæ per 30 miliaria ab Oxonia; postea tamen, ut dicitur, separatum fuit corpus Sancti Bedæ a corpore Sancti Cuthberti, et positum in alia capsula in ecclesia Dunelmensi in loco vocato Galilea, ubi jam honoratur a clero et populo.

[p. 673.] **Theologus.** Canonista enim capit sua principia prima, ut concernunt agibilia ab homine, et a concilio generali ecclesiæ, seu a papa edita et statuta, ut regulæ actuum ecclesiæ pertinencium. Civilista enim capit principia sua, ut concernunt policiam et cohabitacionem hominum, ab imperatore seu ab aliis præsidentibus ordinata. Si canonista vel civilista ista principia transcendat, puta in objecta naturalia seu divina, tunc facultatem suam dimittit et aliam intrat.

[p. 681.] **Verbum Dei.** Duo magni graduati nuper dixerunt magno regi, quod licitum fuit ei, et sanctum, et meritorium, conferre episcopatum, vel quodcunque aliud officium, tali viro ut placet regi, et quod meritorium est statim confessionem (*sic*) illam revocare et alteri viro concedere, et sic variari quociens voluerit a priori concessione.

Item, idem duo mali doctores et perversi dixerant magno regi, quod melius fuit coram domino regi conferre episcopatum uni viro valde inhabili, ut cessaret quædam lis pro quodam decanatu inter dictum inhabilem et alium virum cum eodem litigantem, quam conferre episcopatum optimo viro in moribus et in sciencia; et sic consenserunt in magnum malum, ex quo plura mala sequuntur, ut implacitacio pro uno decanatu cessaret.

Item, jam homines non curant peccare graviter, quia, ut dicunt, facillime habebunt veniam per absolucionem facillime obtentam, et per indulgencias papales facillime optentas, ut ipsi dicunt.

[p. 687.] **Venatio.** In loco vocato Bethsaida jacebat multa multitudo languencium, ut patet in evangelio, Johannis 5° ca°. Bethsaida, in lingua nostra interpretatus 'domus venatorum,' ut ait Sanctus Jeronimus, super Ezechielem libro suo ix° capitulo 28°. In domo enim venatorum et in ipsis venatoribus sunt plura sæpe peccata sanguinaria, sc. voluptas, qua delectatur videndo effusionem sanguinis et pœnam animalis morientis, et eciam in vanis et in turpibus sæpe inordinate delectantur; et rebus suis et tempore sæpe abutuntur, inferendo mala et nociva rebus et pasturis aliorum.

Quantum possum in mea recolere memoria nunquam, sc. in scriptura sacra, venatorem in bonam partem legi.

EXCERPTA E MSS. GASCOIGNII.

DECOLLATIO RICARDI SCROPE, ARCH. EBORUM.

NOTE.

[IN early life, Gascoigne seems to have written an account of the execution of Scrope, archbishop of York, who had been compromised in the rebellion of the Percies. Gascoigne was a native of Hunslet, now a part of the town of Leeds, and for many reasons must have been familiar with the details of an event which was as shocking as it was novel; for it was unprecedented, and, in the opinion of the time, was sacrilegious. The MS., which appears to be in Gascoigne's handwriting, is to be found, with certain other documents, in MSS. Bodley, Auctar iv. 5. The account given by Gascoigne was closely followed by Clement of Maidstone, though there are some variations in the narratives of the two. The first page of Gascoigne's MS. has long been lost, for the pagination of the book, which is continuous, is at least as old as the early part of the seventeenth century. The portion between brackets is taken from Clement of Maidstone, and is probably almost identical with what was contained in the first page of Gascoigne's work. The volume, which belonged to Gascoigne, contains two other entries in his later hand. Another passage is taken from MS. of S. Augustine's Civitas Dei (Bodley MSS. 198, which belonged to Grostete, and, as we are informed in a note, was annotated by that prelate), and contains an account of the offer made to Gascoigne of the rectory of S. Peter's, Cornhill, which was then, as now, in the patronage of the Corporation of London.]

[Anno Domini m cccc v., viii die mensis Junii, scilicet, in die Sancti Willelmi Confessoris, qui tunc fuit feria secunda Pentecostis, magister Ricardus Scrope, baccalaureus Oxoniæ Artium, doctor utriusque Juris Cantabrigiæ, advocatus pauperum nuper in curia Romana, et deinde Lychfeldiæ episcopus, et postea archiepiscopus Eboracensis, decollatus est extra muros prope Eboracum. Henricus enim Quartus, rex Angliæ, in camera manerii dicti archiepiscopi, quod vocatur Bishopsthorp, juxta Eboracum, mandavit Willelmo Gascoyne armigero,

ad tunc justiciario principali Angliæ, ut sententiam mortis de præfato archiepiscopo proferret tanquam de proditore regis, qui hoc recusavit, et sic sibi respondit: 'Nec vos, domine mi rex, nec aliquis nomine vestro vester ligeus, potestis licite, secundum jura regni, aliquem episcopum ad mortem judicare.' Unde præfatum archiepiscopum judicare omnino renuit. Quare idem rex ira vehementi exarsit versus eundem judicem, cujus memoria sit in benediccionem in sæcula sæculi. Et statim mandavit domino Willelmo Fulthorp militi et] non judici, in mandatis dedit, ut in eadem die, sc. in feria secunda septimanæ Pentecostis, quæ fuit octava dies Junii, sentenciam mortis in aula præfati manerii contra archiepiscopum, quem vocavit suum proditorem, proferret. Unde, dum prædictus judex principalis Willelmus Gascoigne in comitatu Eboraci natus, de aula exiret, prædictus Willelmus Fulthorp in loco judicis sedit et archiepiscopum Scrop ante se adduci præcepit. Et archiepiscopo coram eo nudo capite stante, hanc sentenciam mortis, ipso audiente et omnibus circumstantibus, protulit: 'Te Ricardum Scrope traditorem regis ad mortem judicamus, et ex præcepto regis decollari mandamus.' Quæ verba audiens, archiepiscopus hanc oracionem puplice dixit: 'Deus misereatur animæ meæ, qui scit me nunquam intendisse malum contra personam regis nec contra regnum!' Ex quibus verbis archiepiscopi patet famam communem tunc fuisse veram, sc. quod intencio archiepiscopi fuit adire regem cum ceteris dominis qui ad hoc consenserunt, ut peterent a rege reformacionem malorum in regno tunc existencium; et quia tunc fuerunt plures dissenciones in regno inter dominos, et specialiter inter dominum Nevel et comitem Marchal[1], ideo archiepiscopus dixit populo suo seipsum equitare cum multitudine; et post prædicta verba circumstantibus sæpius dixit: 'Oretis ut omnipotens Deus nunquam vindicet mortem meam in rege nec in suis;' quæ verba ita sæpe repeciit; et

[1] By these persons Gascoigne probably means Ralph Nevill, first earl of Westmorland, and Thomas Moubray, earl marshal, who was executed 1405.

dominus Thomas Cumyrwurth, miles Lincolniensis diocesis, per verba archiepiscopi reduxit in sui ipsius memoriam pacienciam et caritatem prothomartiris Stephani, veniam pro suis inimicis a Deo postulantis; et mox, eadem die post meridiem, ductus est super equum ad suam decollacionem, qui, quando super equum vix quadraginta denarios valentem ascenderet, dixit, 'Gracias ago Deo omnipotenti, quia nunquam placuit michi equus sicut iste placet;' et Psalmum, 'Domine, exaudi secundum,' oravit, sic equitando cum capistro et chimera (veste) blodii coloris manicis tunicæ suæ ejusdem coloris existentibus, vestem tamen lineam, qua utuntur episcopi vice ephot, non sinebant archiepiscopum uti; et sic cum capucio jacinctivi sive blodii coloris undique circa humeros suos pendente, et sic ductus est sicut ovis ad victimam, qui non aperuit os suum, nec ad vindictam, nec ad excommunicacionis sentenciam. Qui, cum ad locum decollacionis perveniret, dixit: 'Omnipotens Deus! tibi offero meipsum et causas pro quibus patior, et veniam a te peto de omnibus peccatis, et indulgenciam peto de omnibus quibus per commissum vel per bonum omissum peccavi,' et tunc capacium et tenam ad terram deposuit; et Thomæ Alman, suo decollatori, qui fuit natus in Popiltun, et per quindecim annos antea Eboraci incarceratus, dixit: 'Fili, mortem meam Deus tibi remittat, et ego tibi remitto, rogans te intime ut des michi cum gladio tuo quinque vulnera in collo, quæ intendo sustinere pro amore Domini nostri Jesu, qui, pro nobis obediens usque ad mortem, quinque vulnera principalia pacienter sustinuit;' et sic osculatus est eum tribus vicibus et positis genibus orabat, dicens: 'In manus tuas, Domine, commendo spiritum meum;' junctis manibus et elevatis in cœlum, et mox, cancellatis manibus super pectus suum, collum extendit genuflectendo; et tunc decollator cum gladio eum quinquies in collo percussit, in una eademque carnis divisione, quam primo ictu fecerat, et in quinta percussione collum archipræsulis super terram cecidit et corpus super dextrum latus ad terram cecidit in tercia sellione; quinque enim erant

selliones seminatæ cum ordeo, et in terra ubi archipræsul decollatus erat fuit ordium seminatum, quod pridie in calamis ad modum fusi apparuit et pedibus conculcancium in die illa decollacionis ejus penitus destructum erat, et eo non obstante, in eadem æstate, absque novo semine et absque opere humano, Deus tale incrementum dedit super communem usum naturæ quod aliquis calamus quinque, aliquis calamus iiij[or] spicas ordei produxit, et qui pauciores produxit non minus quam duos calamos protulit. Et eodem tempore quo archiepiscopus fuit decollatus, Henricus Quartus rex Angliæ, qui ipsum occidi præcepit, fuit percussus horribili et pessimo genere lepræ, equitando ad villam de Ripun in ripis constitutam, et fuit percussus equitando super Exsamure inter Popiltun Lidȝate et pontem vocatum Sckeet bryge, et videbatur sibi quod unus sensibiliter eum percussit, et hac de causa, et magna pluvia urgente, pernoctavit in villa vocata Green Hamirton per septem millearia ab Eboraco; et in nocte illa horribili timore vexatus est in tantum quod clamore magno camerarios suos excitavit clamans, 'Proditores! proditores! ignem super me projecistis!' Igne Domini divinæ ulcionis et lepra manifesta percussus erat; et camerarii sui, pro clamore regis surgentes, omnia luminaria in camera et in domo sine lumine et sine igne invenerunt, et sibi triacum in vino vocato vernys dederunt; et in crastino ad Ripun equitavit, ubi mansit infirmus per septem dies. Et magister Georgius Plumtun, qui ipsum die octava prædictæ decollacionis vidit, michi dixit et juravit, quod in facie sua et in manibus præfati regis, in die illa octava, magnas pustulas leprosas vidit, quæ pendebant in facie regis et in manibus, et prominebant quasi capita mamillarum. Et qui ista vidit michi testimonium perhibuit, sc. Stephanus Cotingham, qui dicebatur eciam Stephanus Palmer, qui hæc michi retulit magistro Thomæ Gascoigne, sacræ Theologiæ doctori Oxoniæ. Et in nocte tercia post prædictam decollacionem apparuit prædictus archipræsul Johanni Sybsun in domo sua apud Rocliff, præcipiens eidem ut pec-

catum suum magistro Willelmo Kexby penitenciario Eboraci confiteretur, 'Quia,' inquit, 'triginta annis elapsis per tres dies insidias parasti ad occidendum talem hominem,' et nominavit personam, 'et quia,' inquit, 'opere non complevisti peccatum, non esse æstimasti, et ideo nec vere pœnituisti, nec confessus es; ideo jam pœnitere, et confitere illud, vel dampnaberis.' Hæc dixit idem Johannes Sibsun, in præsencia plurium, sorori meæ dominæ Johannæ Roos, Eboraci, inter fratres minores. Item, præcepit eidem Johanni ut offerret candelam ceream super sepulcrum ejus, et quod asportaret ligna et lapides quæ homines super sepulcrum suum posuerunt, ne homines ibi offerrent nec adorarent, quæ idem Johannes senex asportavit solus, licet aliquod ipsorum vix tres fortes homines levare potuerunt; quæ ligna idem Johannes asportavit et coram altari beatæ Mariæ Virginis ibi in ecclesia Eboracensi deposuit. Et tum eidem Johanni quatuordecim vicibus post mortem suam apparuit, qui quidem archipræsul usque ad mortem virgo permansit, ut per confessorem suum ultimum cognitum fuit.

ARTICULI NOBILIUM.

M^{lmo} $cccc^{mo}$ sexto.

Anno Domini 1406, dominus Henricus Percy, comes Northanhumbriæ, et Edmundus Mortymer, miles, dominus de Bardolf et de Worniga, scripserunt litteras patentes cuilibet eas inspicere volenti, notificantes causas propter quas rex Henricus Quartus jussit decollari sanctæ memoriæ dominum Ricardum Scrope, archiepiscopum Eborum, anno divinæ Incarnacionis m^{mo} $cccc^{o}$ v^{o}, octava die Junii. Prima causa fuit, quia consuluit regi ad pœnitendum et ad satisfaciendum pro peccato suo contra regem Ricardum. Juraverat enim rex Henricus super sacramentum corporis Xti, in castello de Fflynt, per x millearia a villa de Cheestyr, quod nunquam rebellaret, nec deponi

consentiret regem suum Ricardum, cujus contrarium tamen fecit idem Henricus, cogendo regem Ricardum resignare coronam in crastino Michaelis Londoniis apud Westmonasterium, licet prius fidelitatem sibi juravit in præsencia archiepiscopi Arundel, et comitis Northumbriæ, et domini Thomæ Gray cum curvo pede. [Comes enim Darby, sc. prædictus Henricus Quartus, juravit super corpus Xti in sacramento altaris et illud recepit in villa de Chestyr, quod nunquam rebellaret contra regem Ricardum, nec eum deponi a corona consentiret, et istud juravit coram archiepiscopo Thoma Arundel, et comite Northumbriæ, et ejus filio Henrico[1].]

2^a ca. Item, optavit archiepiscopus Scrope quod corona regni Angliæ restituta suæ lineæ vel cursui, ecclesia Anglicana habeat possessiones suas, libertates, consuetudines, et privilegia, quæ ad eam juste pertinent, secundum leges justas et nobiles regni Angliæ prius usitatas, quæ ecclesia Anglicana jam gubernatur modo contrario.

3^a. Item, quod domini regni judicentur secundum judicium et deliberacionem aliorum dominorum illis æqualium, et non eo modo quo jam judicantur, et exulant, et occiduntur, eo quod stant pro veritate coronæ et utilitate regni, et quia resistunt injuriæ regni.

4^a. Item, quod clerus, generosi, mercatores, et communes non sint oppressi per exacciones, taxas, et subsidia, nec per alias imposiciones eo modo quo jam opprimuntur, quia quolibet anno post suum introitum in Angliam habuit rex Henricus iiij^{tus} taxam et decimam, et aliquando plures in uno anno, licet in primo introitu suo in Angliam post suum exilium juravit idem rex Henricus, tunc vocatus comes Darby, quod in tempore vitæ suæ, in quantum ipse impedire posset, nunquam solveret ecclesia Anglicana decimam nec populus taxam; et istud juravit in castello de Knarburgh juxta Eborum.

5^a. Item, quod corona, justæ linæ restituta, sapientes hujus regni, qui cognoscunt honores et sapienciam, assignentur regi pro

[1] This passage is written on a part of the opposite page in Gascoigne's latest hand.

concilio sibi necessario, excludendo a rege consiliarios alienigenos et consiliarios cupidos, qui cupiunt ea dicere et facere quæ regi placent, ut ipsimet ditentur.

6ª. Item, quod vicecomites in unoquoque comitatu libere eligantur, absque cohercione domini regis, seu baronum.

7ª. Item, quod barones, nobiles, et populus, in causis ipsos et regnum concernentibus, habeant in suis consiliis in parliamentis liberam facultatem ad dicendum vota sua.

NOTÆ THOMÆ GASCOIGNE.

E MS. Auctar. D iv. 5. p. 104.

IHC mª.

Heu! heu! heu! Domine Deus! desolata est domina gencium, i. e. ecclesia, quæ olim fuit domina gencium, quando dominabatur viciis per virtutum operacionem, per miraculorum prius inexpertorum manifestacionem, et per scienciæ communicacionem et ostensionem! Heu! jam mutatur color optimus, quia plumbum pro auro, et pro patribus sanctis prioribus nati sunt tibi ecclesiæ filii, fatui, viciosi, mundani filii! Exemplum unum inter plura existens jam pono et scribo. In diebus meis, anno Domini 1443[1], electus fuit, vel verius intrusus, unus archiepiscopus qui fuit genitus ex manifesto adulterio, et existens genuit filios et filias ex una moniali, in episcopali gradu existens antequam fuit archiepiscopus, et tamen nominatus fuit, 'Electus per Spiritum Sacrum;' licet papa dixit, non libenter electus est, et tamen papa ipsum providit et suam eleccionem nominans datam bullæ ante diem electionis scripsit, ergo provisio non fuit vera electio. Hæc doctor in sacra Theologia . . . .

[1] The archbishop referred to is John Stafford, who had been dean 1423-25, and bishop 1425-43, of Wells. He was translated by papal bull to Canterbury, May 13, 1443, and died May 25, 1452.

Ad calcem ejusdem MS.

Anno Xti 1455, 22° die Maii, occisi fuerunt in bello aput villam Sancti Albani, in præsencia Henrici vi[ti] regis Angliæ, Edmundus dux Somersetiæ, et Henricus Perce comes Northumbriæ, et dominus Clyfforth, per dominum Ricardum ducem Eboraci, et dominum Ricardum Nevel comitem Sarum, et dominum Ricardum Nevel comitem Warwyk, qui fuit filius et hæres ejusdem comitis Sarum.

In fine MS. S. Augustini de Civitate Dei, in Bibl. Bod. asservati Bod. MSS. 198.

M[lmo] cccc[mo] xlv°.

Anno Dominicæ Incarnacionis 1445°, ego magister Thomas Gascoigne, Eboracensis diocesis, fui electus, per iiij doctores sacræ Theologiæ Londoniis, in rectorem Sancti Petri de Cornhul, et, post electionem habitam, major civitatis Londoniensis, aldermanni, et cives miserunt michi præsentacionem ad eandem ecclesiam. Et ego, tunc infirmus, acceptavi præsentacionem, sperans me convalescere cito, et ibidem personaliter residere, et onera pastoris pro posse implere, vel resignare: et quia indies infirmitas continuavit, ita quod illuc de Oxonia properare non potui, ideo, ego, M. Thomas Gascoigne, doctor sacræ Theologiæ, et cancellarius Oxoniæ, resignavi ecclesiam illam, eodem anno, in die Sancti Mathiæ apostoli, simpliciter; Sanctus enim Edmundus, archiepiscopus Cantuariensis, nunquam tenuit ecclesiam in manu sua, nisi quamdiu personaliter ibi in cura resedit, ut patet per magistrum Albertum Lenosensem episcopum in vita Sancti Edmundi. Heu! heu! quia absencia boni pastoris plura mala facit et causat, sicut absencia nautæ in navi!

NOTES.

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1. The Fabric Rolls of York Minster, published by the Surtees Society, furnish abundant evidence of the activity with which the injunctions referred to in the text were carried out on behalf of the fabric.

3. The Regents of the University of Oxford were the young Masters, those namely under two years' standing. Gascoigne constantly speaks of the power which they possessed, and the abuses which characterised their practices.

9. There is some confusion in Gascoigne's mind about the order of the Bohemian succession, and the number of the Bohemian Kings of the name of Wenceslaus.

11. Aiscough's name is very variously spelt in the Liber Veritatum.

16. Gascoigne seems to acquiesce later on in Nevil's appointment, in consequence of the active part which the young bishop took against Pecok. At the accession of Edward IV the Bishop of Exeter was made Constable of Windsor Castle.

22. The archbishop in this story is probably Stafford. He was, according to the genealogists, brother of the Duke of Buckingham. Gascoigne (p. 231) says that he was illegitimate.

26. It appears that the charges against Pecok in this passage were written before he had committed what were, in Gascoigne's eyes, the far graver offences mentioned at the conclusion of the work.

35. This story of De la Bere points manifestly to a married clergy in South Wales.

37. Richard Andrew, first Warden of All Souls, Oxford, was secretary for many years to Henry VI.

45. This passage illustrates the continuity of the practice of audit at the Exchequer, which the Dialogus, first published by Madox, describes.

53. This article, which is given in full, appears to be a sermon of Gascoigne's. If so, it is the only document of this kind which, being found among his papers, was transcribed entire into the Liber Veritatum.

88. The reference to St. Gregory is left blank.

118, 119. The blanks are omissions of quotations from the fathers.

125. Peter de Monte was made Bishop of Brescia.

127. At this place the extracts from the first volume are concluded, and those from the second begin.

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129. It is from this passage that I have taken the title of the book.

130. Gascoigne is alluding to De la Bere, Bishop of St. David's.

141. The passage 'ideo vocatur Wiclyffe nequam rita, memoriae ter dampnatæ,' fairly puzzled me, and all the antiquaries to whom I showed it. At last I put the words before Mr. Thompson, of the MSS. department, British Museum, who suggested, after a few minutes, that the reading should be 'nequam vita,' and that the words were a pun on Wikliff's name. The emendation is one of those happy conjectures, which instantly approve themselves, and are seen to be perfectly conclusive. It may be observed that Knyghton similarly jests on Wikliff's name, saying that it would be more properly 'Wicked belief.'

168. For 'Naturis apostolorum' read 'Naturis apum.'

175. I do not find Dighton as a parish at the present time.

193. The passage in spaced type is underlined and written in a larger hand in the MS.

201. Gascoigne is referring to himself.

202. The sister referred to is probably that sister of the author who carried the estate of Hunslet to a branch of the Westmoreland Neviles, through whom it descended till, after the rebellion of the Northern Earls, it was forfeited.

Ib. This is the source of the statement (copied by Hearne, and commented on by many historians) as to the prodigious number of students at Oxford in the fourteenth century.

204. I have no idea what the scribe intended by 'Malkus.' The word is written over 'Cenomanniam.'

218. The burning of Pecok's books at Oxford (in the latter part of his account Gascoigne generally calls him 'Pacok,' probably in contempt) on Dec. 17, 1457, is the latest fact noted in the Liber Veritatum.

229. Lingard doubts whether Scrope really approved of the remonstrance printed here. The text however shows that he did, and that it is difficult to acquit the archbishop of a design of deposing Henry.

232. The last passage will be found in facsimile at the title page.

*** It is possible that 'quum' has been printed for 'quando' a few times. The word is constantly written 'qū.' But I am informed that this should always be read as 'quando.'

CHRONOLOGICAL TABLE.

(GASCOIGNE.)

1403. Birth of Gascoigne at Hunslet, near Leeds (p. 192).
Battle of Shrewsbury, July 23.
Lewis Bifort made Bishop of Bangor by Owen Glendower.
Parliament, Dec. 3. Coventry. Prorogued at once.

1404. Parliament, Jan. 4. Coventry to Westminster. Arnold Savage, Speaker.
Death of Boniface IX, Oct. 1.
Election of Innocent VII, Oct. 17.
Parliament, Oct. 6. Coventry. William Sturmey, Speaker.

1405. William Beaufort (Bishop of Lincoln), Bishop of Winchester, Mar. 14.
Execution of Scrope, Archbishop of York, June 8.
Lewis Bifort, titular Bishop of Bangor, imprisoned in Windsor Castle.

1406. Parliament, Feb. 15. Coventry. John Tibetot, Speaker.
Westminster, Mar. 1. Sat till Dec. 22.
Death of Robert III of Scotland, Apr. 4.
Death of Innocent VII, Nov. 6.
Election of Gregory XII, Nov. 30.

1407. Henry Bowet (Bishop of Bath and Wells), Archbishop of York, Oct. 7.
Parliament, Oct. 20. Gloucester. Thomas Chaucer, Speaker.
Murder of the Duke of Orleans, Nov. 23.

1408. Battle of Bramham Moor, Feb. 19. Northumberland and Bardolf killed.

1409. Council of Pisa, Mar. 25—Aug. 7.
Deposition of Gregory XII, June 5.
Election of Alexander V, June.

1410. Parliament, Jan. 27. Bristol. Thomas Chaucer, Speaker.
Death of Alexander V, May 3.
Election of John XXII, May 17.

1411. Parliament, Nov. 3. Westminster. Thomas Chaucer, Speaker.

1412. John Mackworth (Chancellor to Prince of Wales), Dean of Lincoln to 1451 (p. 153).

1413. Parliament, Feb. 3. Westminster. Nothing done owing to the King's sickness and death.
Death of Henry IV, Mar. 20.
Parliament, May 14. Westminster. William Stourton, Speaker; June 3, John Doreword, Speaker.

1414. Death of Archbishop Arundel, Feb. 19.
Chichele (Bishop of St. David's), Archbishop of Canterbury, Mar. 4.

Parliament, Apr. 30. Leicester. Walter Hungerford, Speaker.
Council of Constance meets, Nov. 16 to Apr. 22, 1418.
Parliament, Nov. 19. Westminster. Thomas Chaucer, Speaker.

1415. Deposition of John XXII, May 29.
Abdication of Gregory XII, July 4.
John Huss condemned, July 6.
Execution of Cambridge, Scrope of Masham, and Grey, August.
Henry sails from Southampton, Aug. 11.
Capture of Harfleur, Sept. 22.
Battle of Agincourt, Oct. 25.
Parliament, Nov. 4. Richard Redman, Speaker.
Return of Henry V to London, Nov. 23.

1416. Parliament, Mar. 16. Westminster. Sir Walter Beauchamp, Speaker.
Visit of the Emperor Sigismund to England.
The Duke of Burgundy allies with England.
Parliament, Oct. 19. Westminster. Roger Flower, Speaker.

1417. Henry sails from Southampton to France, July 28.
Subjugation of Normandy.
Election of Martin V, Nov. 11.
Parliament, Nov. 16. Westminster. Roger Flower, Speaker.

1418. Conclusion of the Council of Constance, Apr. 22.
Execution of Oldcastle, December.

1419. Parliament, Oct. 16. Westminster. Roger Flower, Speaker.
The Duke of Burgundy assassinated at Montereau, Aug. 12.

1420. Treaty of Troyes, May 21.
Marriage of Henry V and Catherine of France, June 2.
Parliament, Dec. 2. Westminster. Roger Hunt, Speaker.

1421. Gascoigne comes to Oxford.
The Queen crowned in Westminster, Feb. 23.
Battle of Beugè, Mar. 22.
Parliament, May 2. Westminster. Thomas Chaucer, Speaker.
Return of Henry to France, June 11.
Parliament, Dec. 1. Westminster. Richard Banyard, Speaker.
Birth of Henry (VI), Dec. 6.

1422. Thomas Spofford, Bishop of Hereford, May 25. In 1448 resigned, and retired to St. Mary's Abbey, York.
Richard Beauchamp, Lord Abergavenny, and Earl of Worcester, slain at Meaux.
Henry V dies, Aug. 31.
Charles VI of France dies, Oct. 21.
Parliament, Nov. 9. Westminster. Roger Flower, Speaker.

1423. James of Scotland set at liberty, April.
Battle of Verneuil, Aug. 16.
Parliament, Oct. 20. Westminster. John Russel, Speaker.

1424. Death of Benedict XIII, Nov. 29.
Election of Clement VIII, Antipope.
1425. Parliament, Apr. 30. Westminster. Sir Thomas Wauton, Speaker.
John Stafford (Dean of Wells), Bishop of Bath and Wells (consecrated May 27).
Henry VI and Richard Duke of York made knights by the Duke of Bedford.
1426. Parliament, Feb. 18. Leicester. Sir Richard Vernon, Speaker.
William Alnwick elected Bishop of Norwich, Feb. 27; Bishop of Lincoln, 1436.
John Kemp (Bishop of London) elected Archbishop of York, Apr. 8.
1427. Parliament, Oct. 13. Westminster. John Tyrell, Speaker.
Gascoigne takes Priest's orders (p. 179).
1428. Gascoigne made presbyter of Thame.
Death of the Earl of Salisbury before Orleans, Nov. 3.
1429. Battle of Roveray ('the herrings'), Feb. 12.
Entry of Joan of Arc into Orleans, Apr. 29.
Battle of Patay, June 18.
Charles VII crowned at Rheims, July 18.
Parliament, Sept. 22. Westminster. William Alyngton, Speaker. Sat till Feb. 23.
Coronation of Henry VI at Westminster, Nov. 6.
Marmaduke Lumley, Bishop of Carlisle, Dec. 5.
1430. Joan captured at Compiègne, May 26.
1431. Parliament, Jan. 12. Westminster. John Tyrrell, Speaker.
Death of Martin V, February.
Election of Eugenius IV, March.
Insurrection of Jack Sharpe, Oxfordshire, May.
Execution of Joan of Arc, May 30.
Council of Basle opened, July 23 to May 1443.
1432. Parliament, May 12. Westminster. John Russell, Speaker.
John Kexby, Chancellor of York, dies, May 30, and Gascoigne nominated to the office.
Death of the Duchess of Bedford, Nov. 14.
1433. Parliament, July 8. Westminster. Roger Hunt, Speaker.
John Low, Bishop of St. Asaph, Aug. 17.
1434. Gascoigne graduates as Doctor in Theology, and is Chancellor of Oxford (vide p. 116).
1435. Thomas Bourchier, Chancellor of Oxford.
Siege of Calais by the Duke of Burgundy, August.
Death of the Duke of Bedford, Sept. 14.
Burgundy abandons the English alliance, Sept. 21.
Parliament, Oct. 13. Westminster. John Bowes, Speaker.
1436. Paris retaken, Apr. 13.
The Congregation of Oxford University gives a special testimonial to Gascoigne as Doctor Catholicus, praising him for his sermons on Easter Day and on the feria tertia sequente.

William Alnwick (Bishop of Norwich), the King's confessor, Bishop of Lincoln, May 23.
Fulk Bermingham, Prebendary of London (Chamberlain Wood).
1437. Fulk Bermingham, Prebendary of Lincoln (North Kelsey), Jan. 16.
Parliament, Jan. 21. Cambridge; and then to Westminster, Feb. 11. Sir John Tyrell, Speaker; then William Boerley, Mar. 19.
William Aiscough, Bishop of Salisbury.
Death of Queen Catherine, Feb. 3.
James I of Scotland murdered, Feb. 20 or 21.
Death of Joan, second wife of Henry IV, July.
The franchise of Norwich suspended, and the Mayor deprived.
1438. Council of Basle at Ferrara, Jan. 10 to Jan. 10, 1439.
John Carpenter, Chancellor of Oxford.
Richard Praty, Bishop of Chichester, February.
Pragmatic Sanction, Bourges, July 7; declaring general councils superior to the Pope.
Fulk Bermingham, Prebendary of Lichfield, Aug. 2; Lincoln (Croperdy), July 20.
1439. Death of the Duchess of Clarence (wife of Thomas Courtenay, Earl of Devon), Jan. 1.
Council of Basle at Florence, Feb. 29 to Apr. 26, 1442.
Election of Felix V, Antipope, Nov. 17.
Fulk Bermingham, Prebendary of York, Dec. 23 till Jan. 1479.
Parliament, Nov. 12. Oxford; afterwards to Westminster. William Tresham, Speaker.
129 books given to the University of Oxford by Duke Humphrey, Nov. 25.
1440. Trial and condemnation of Eleanor, Duchess of Gloucester. Bolingbroke hanged, and the 'Witch of Eye' burnt.
The indulgences of Eugenius IV, and their sale in England by Peter de Monte.
1441. Richard, Duke of York, made Regent of France for five years, May 16.
Fulk Bermingham, Prebendary of London (Cadington Major), Oct. 22.
1442. Parliament, Jan. 25. Westminster. William Tresham, Speaker.
William Linwood (Dean of the Arches), Bishop of St. David's, August.
Gascoigne Chancellor.
1443. Archbishop Chichele died, Apr. 12.
Close of the Council of Basle, May.
John Stafford, Archbishop of Canterbury, May 13.
Thomas Beckington, Bishop of Wells, May 13.
Gascoigne cancellarius natus.
He procures the confirmation of the rule that the Chancellor should always be ex officio a justice of the peace, and carries a statute which prohibits compurgation except at the Chancellor's discretion.
1444. Thomas Bourchier (Bishop of Worcester), Bishop of Ely, Feb. 27.
John Low, Bishop of St. Asaph, Apr. 22 (died 1467).

Reginald Pecok, Bishop of St. Asaph, Apr. 22.
Truce of twenty-two months between France and England, May 20.
Fulk Bermingham, Archdeacon of Oxford to 1467.

1445. Parliament, Feb. 25. Westminster. William Burley, Speaker. It sits, with prorogations, till Apr. 9, 1446, and makes two grants,—Mar. 15, 1445, Apr. 9, 1446.
Marriage of Margaret and Henry.
Richard Praty, Bishop of Chichester, died August.
Adam Moleyns (Dean of Salisbury), Bishop of Chichester, Sept. 24.
Gascoigne Chancellor; offered the rectory of St. Peter's, Cornhill.

1446. Walter Le Hart, Bishop of Norwich, Jan. 24.
Death of the Duke of Gloucester.
Thwaites, Master of Balliol, Chancellor.
Dispute between Nicholas Carent and John de la Bere concerning the deanery of Wells.

1447. Death of Eugenius IV, Feb. 23.
Election of Nicholas V, Mar. 6.
Death of Cardinal Beaufort, Apr. 11.
William Booth (the Queen's Chancellor), Bishop of Lichfield, Apr. 26.
William Waynfleet (Provost of Eton), Bishop of Winchester, May 10.
John de la Bere (Dean of Wells), Bishop of St. David's, September.
Parliament, Feb. 10. Cambridge; afterwards to Bury St. Edmunds. William Tresham, Speaker.

1448. Gascoigne made Prebendary of Combe Decima (Bath and Wells).

1449. Parliament, Feb. 12. Westminster. John Say, Speaker.
Resignation of Felix V, antipope, Apr. 7.
Capitulation of Rouen, Oct. 31.
Parliament, Nov. 6. Westminster. Sir John Popham, Speaker; resigns, and the same day William Tresham elected.
Death of William Alnwick, Bishop of Lincoln, Dec. 5.

1450. Adam Moleyns, Bishop of Chichester, murdered at Portsmouth, Jan. 9.
Marmaduke Lumley (Bishop of Carlisle), Bishop of Norwich, Jan. 28; died November.
Parliament, Jan. 28. Westminster. Suffolk impeached.
Thomas Kemp, Bishop of London, Feb. 4.
Reginald Pecok translated from St. Asaph, Mar. 23.
Battle of Fourmigny, Apr. 15.
Parliament at Leicester, Apr. 29.
Murder of Suffolk, May 2. Insurrection of Cade.
Bishop Aiscough murdered at Edyndon, June 29.
Robert Lord Willoughby died, July 25.
William Tresham, Speaker in the late Parliament, murdered Sept. 22.
Parliament, November 6. Westminster. Sir William Oldhall, Speaker, to May 5.

1451. General pardon granted for Cade's insurrection, May 18.

Truce with Scotland for three years and till notice, Aug. 12.
Protestation that this truce does not waive claim to the homage of Scotland, Aug. 13.
Richard Andrew (Dean of York and Leicester, and Warden of All Souls' College, Oxford), Secretary to the King.
1452. Archbishop Stafford died, May 25.
Kemp (Archbishop of York), Archbishop of Canterbury, July 21.
William Booth (Bishop of Lichfield), Archbishop of York, July 21.
Earl of Shrewsbury made lieutenant of Guienne, Sept. 3.
Richard, afterwards Duke of Gloucester and King, born, Oct. 2.
1453. Parliament, Mar. 6. Reading. Thomas Thorp, Speaker.
Thorp imprisoned.
Feb. 16, 1454, Sir Thomas Charleton. (The Parliament continued to Apr. 16, 1454.)
Capture of Constantinople, May 19.
Battle of Chatillon; death of Talbot and his son, July 17.
The King insane.
Birth of Edward of Lancaster, Oct. 23.
1454. Archbishop Kemp died, Mar. 22.
Thomas Bourchier, Bishop of Ely, elected Archbishop of Canterbury, Apr. 22.
First Protectorate of the Duke of York, Mar. 27.
1455. Somerset released from the Tower, Feb. 5.
Death of Nicholas V, Mar. 24.
Election of Calixtus III, Apr. 8.
George Nevil, Chancellor of Oxford.
Affair of St. Alban's, May 22.
Parliament, July 9. Westminster. St. John Wenlok, Speaker. Sits till Feb. 25.
Second Protectorate of the Duke of York, Nov. 19.
1456. Ralph Lord Cromwell died, Jan. 4.
York discharged from the Protectorate, Feb. 25.
Pecok's letter to Cannyngs, Lord Mayor of London.
George Nevile, Bishop of Exeter, Mar. 21.
Battle of Belgrade, July 22.
Death of John Hunniades, Sept. 10.
1457. Thomas Chandler, Chancellor of Oxford.
Death of Ladislaus, Nov. 23. Succession of Matthias Corvinus, second son of Hunniades, to the throne of Hungary.
Reginald Pecok, Bishop of Chichester, deprived, December.
1458. Date of Gascoigne's will, Mar. 12; proved, Mar. 22.
Death of Gascoigne, Mar. 13.
Death of Calixtus III, Aug. 8.
Election of Pius II, August.

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